DOCUMENT RESUME

ED 136 887 JC 770 226

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TITLE State Legislation Relating to Community and Junior Colleges, 1976. Report No. 27.
INSTITUTION National Council of State Directors of Community-Junior Colleges.; Pennsylvania State Univ., University Park. Center for the Study of Higher Education.
PUB DATE Feb 77
NOTE 86p.; Some pages may reproduce poorly due to small size of type

EDRS PRICE MF-$0.83 HC-$4.67 Plus Postage.
DESCRIPTORS Community Colleges; Educational Finance; Governance; Indexes (Locaters); *Junior Colleges; *National Surveys; Performance Based Education; *Post Secondary Education; State Aid; *State Legislation; *Trend Analysis
IDENTIFIERS Enrollment Ceilings

ABSTRACT

This document presents an analysis of state legislation enacted and proposed in 1976 related to community and junior colleges. Data for this analysis were obtained from two sources--personal replies to a survey of state directors of community and junior colleges, and actual legislative documents from the states. Following an introductory section, the second section of the report reviews five "critical issues" identified by the state directors as attracting legislative attention and action in 1976: finance, governance, institutional growth, legislative support, and personnel. Of these, finance was perceived to be of greatest importance. The third section, based on analysis of enacted legislation and proposed bills reported out of committee, summarizes legislative activity in the areas of finance, administration, physical facilities, institutional growth, personnel, students, and academic programs. The fourth section provides a separate analysis of legislative action related to the legal bases for "community-based, performance-oriented" educational programs. Section five presents a summary of trends and conclusions. Appendices include an annotated list of enacted and proposed legislation for each state and a subject index to the legislation. (JDS)

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State Legislation Relating to Community and Junior Colleges, 1976

S. V. Martorana and Lawrence A. Nespoli

Prepared in Cooperation with the National Council of State Directors of Community and Junior Colleges

Center for the Study of Higher Education
Report No. 27

The Pennsylvania State University
University Park, Pennsylvania

February 1977

JC 770 226

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FOREWORD

This report, the second in a series generated through a cooperative agreement involving the Center for the Study of Higher Education and the National Council of State Directors of Community and Junior Colleges, furthers organizations' commitment to the scholarly inquiry of the framework of general public policy within which the nation's postsecondary educational institutions have to function. This commitment is based upon the understanding that publicly supported institutions of higher learning, in particular the community and junior colleges, must comprehend, and, in turn, take into account the concerns and desires of the communities which support them as they, the institutions, pursue their educational objectives. *In that* legislative actions are an extension of a community's perspective, any analysis which probes this extension can reveal consistent themes and, it is hoped, developing ideas. It is felt that this study makes significant progress in that direction.

This study reports the actions taken by state legislatures that impact on all postsecondary institutions, in general, and on community and junior colleges in particular. It incorporates both objective and subjective analysis of particular legislative actions, as well as the presentation of observations by state directors of community and junior colleges. Further, the study probes the recently introduced concept "community-based, performance-oriented" education. The organization and presentation of the report is such that it permits the reader, both the professional and the neophyte, to quickly extract meaningful concepts and examples. It is hoped that the report, in turn, will stimulate both intrastate anticipating efforts, as well as interstate communications. In this light, the annotations of the laws presented in the appendices can facilitate these communications. All inquiries concerning particular legislative items should be addressed to the respective state director. Comments and observations about the work in general, however, should be addressed to the senior author, Dr. S.V. Martorana, research associate, in the Center.

Dr. Kenneth P. Mortimer
Director, Center for the Study
of Higher Education
February 1977

PREFACE

The coauthors of this study wish to thank the many persons and agencies who helped to complete it. There are too many to name specifically, even in a listing. However, the essential character of that wide base of assistance must be recognized and our appreciation recorded. Chief among the many involved were the members of the National Council of State Directors of Community and Junior Colleges, and we are deeply indebted to all members of the council for their cooperation in the project.

On several occasions in recent years the council expressed a growing interest in seeing a reactivation of a regular, periodic review and analysis of state legislation bearing on these institutions. Such a compilation and analytical commentary had not been available to community and junior college leaders since 1966, when the last of the series of annual reports on state legislation relating to higher education was completed by Martorana et al. in the U.S. Office of Education. It was the active interest of the National Council of State Directors of Community and Junior Colleges, as well as some fiscal support from that body, that sparked the initial 1973-75 state legislation study. Their continued interest and support has also been a major factor in the completion of this, the 1976 study. It is the sincere hope of both authors that this study provides a service that proves the earlier cooperation of the council worthwhile and will justify continuation in the cooperative effort for future reports.

Both authors appreciate also the steady encouragement and support given to the project by the Center for the Study of Higher Education, The Pennsylvania State University. Without this support, especially the assistance of the Center's secretarial staff and their editor, Janet Novotny Bacon, it could not have been done at all. A special note of thanks is extended to Thomas C. Butcher, Jr., graduate research assistant at the Center, who reviewed reactions from the field in a special review circulation of the final draft and then made additions and corrections to the text where appropriate. His thoroughness in that task, as well as the insight he brought to the project in its later stages, is deeply appreciated.

Much credit for the successful accomplishment of this study is due Lawrence A. Nespoli, the second author listed, who wrestled most closely with the data throughout the course of the project. It is largely because of his efforts that this study is able to present a sizeable amount of information in a way that is both consistent and readable. Major responsibility for the design, direction, and general interpretation of the findings of the study was that of the senior author, S.V. Martorana, who in this project is continuing a line of research that he started nearly 30 years ago.

S.V. Martorana
Lawrence A. Nespoli
February 1977

SECTION I

INTRODUCTION

This is the second annual survey and analysis of state legislation relating to community and junior colleges conducted jointly by the National Council of State Directors of Community and Junior Colleges and the Center for the Study of Higher Education, The Pennsylvania State University. On several occasions in recent years, the National Council of State Directors of Community and Junior Colleges expressed a growing interest in seeing a reactivation of a regular, periodic review and analysis of state legislation bearing on these institutions. In March of 1975 the council acted on this continuing interest by formally endorsing a plan to cooperate in and to help support just such an annual review and report on state legislation in which the Center for the Study of Higher Education, The Pennsylvania State University, was to serve as a research and development partner to the council.

The initial study examined activity in legislative sessions from 1973 to 1975. With the completion of that initial study, work was then begun on the study of 1976 legislation, by circulating to all state directors on the 1975-76 mailing list a letter requesting information on actions of the state legislatures in the 1976 legislative session, as well as information on several other related questions. A copy of this letter, dated February 20, 1976, is attached as Appendix C.

In cooperation with the Center for Community Education of the American Association of Community and Junior Colleges, a special substudy within the 1976 state legislation study was conducted on "community-based, performance-oriented" educational programs in the states. In this connection, a second letter was mailed on March 22, 1976, requesting information on the legal status of this kind of educational approach in the states. A copy of this letter is attached as Appendix D.

Follow-up letters for both the 1976 state legislation study and the special substudy on community-based, performance-oriented education were mailed July 1, 1976, and September 22, 1976.

Essentially, this report utilizes two different types of data. First, the legislative situations in the various states, *as observed and reported by the state directors in those states*, are reviewed. Second, actual legislative documents from the states are analyzed. It is believed that the use of this two-part approach provides for a more accurate and in-depth analysis of state legislative activity. The state directors of community and junior colleges, by the nature of their position, can offer insights and an overall perspective that an interested analyst is not likely to gain from an examination of documents alone. On the other hand, by applying analytical methods in examining the actual content of pertinent documents (in this case, copies of bills, legislative lists, and the like), the analyst can search for sharper degrees of detail and apply specificity to the examination that would otherwise be lacking.

This report, then, summarizes some of the information state directors provided *both* by personal reply and by sending certain documents and information related to legislation and policy affecting community and junior colleges in their states. Requests for cooperation went to officials in all 50 states and Puerto Rico. The report is based upon the responses submitted by directors in 46 states and Puerto Rico. Table 1 indicates by state/commonwealth the kind of information received from each one. As the body of the table shows, 29 state directors offered their own perceptions of the legislative situation in their state. Legislative documents were received from 29 jurisdictions. Twenty-seven state directors provided information on the development of community-based, performance-oriented educational programs in their respective states.

TABLE 1

STATES RESPONDING TO 1976 STATE LEGISLATION STUDY

State	State Identification Number	1976 Legislation			Community-Based Performance-Oriented Education
		Letter	Related Questions	Documents	Letter
Alabama	(1)	x	x	x	x
Alaska	(2)				x
Arizona	(3)	x	x	x	x
Arkansas	(4)	x	x	x	x
California	(5)	x	x	x	x
Colorado	(6)				x
Connecticut[a]	(7)	x	x	x	
Delaware	(8)	x	x	x	x
Florida	(9)	x	x	x	x
Georgia	(10)	x	x		x
Hawaii	(11)	x	x		x
Idaho	(12)	x	x	x	x
Illinois	(13)	x	x	x	x
Indiana	(14)	x	x		
Iowa	(15)	x	x	x	
Kansas	(16)	x	x	x	x
Kentucky	(17)	x		x	
Maine	(19)				x
Maryland	(20)	x	x	x	
Massachusetts	(21)	x	x	x	
Michigan	(22)	x		x	x
Minnesota	(23)				x
Mississippi	(24)	x	x	x	x
Missouri	(25)	x	x	x	x
Montana[b]	(26)	x			
Nebraska	(27)	x	x		
Nevada[b]	(28)	x			
New Hampshire	(29)	x	x		

Table 1 (cont.)

State	State Identification Number	1976 Legislation			Community-Based Performance-Oriented Education
		Letter	Related Questions	Documents	Letter
New Jersey	(30)	x		x	x
New Mexico	(31)	x	x		
New York	(32)	x	x	x	x
N. Carolina	(33)	x	x	x	
N. Dakota[b]	(34)	x			
Ohio	(35)	x	x	x	
Oklahoma	(36)				x
Oregon[b]	(37)	x			x
Pennsylvania	(38)	x		x	x
Rhode Island	(39)	x		x	x
S. Carolina	(40)	x		x	x
S. Dakota	(41)	x	x		
Tennessee	(42)	x		x	
Texas[b]	(43)	x			
Vermont	(45)	x	x		
Virginia	(46)	x	x	x	
Washington	(47)	x	x	x	x
Wisconsin	(49)	x	x	x	x
Puerto Rico	(51)	x		x	
TOTALS		42	29	29	27

NOTE: Nonrespondents: Louisiana, Utah, West Virginia, Wyoming

[a]Connecticut maintains two systems: (1) regional community colleges and (2) state technical colleges. The directors of both systems provided information described by the column headings in the above Table and in Table 2.

[b]Legislature did not meet in 1976.

Following this introductory section, the report is divided into four additional sections and four appendices:

Section II — Perceptions of State Directors about Significant Legislative Action Affecting Community and Junior Colleges

Section III — Summary of State Legislation Relating to Postsecondary Education

Section IV — Legislation Relating to Community-Based, Performance-Oriented Education in the States

Section V — Summary and Conclusions

Appendix A Annotations of State Legislation Relating to Postsecondary Education

Appendix B Index to Legislation

Appendix C Letter of Inquiry: State Legislation

Appendix D Letter of Inquiry: Community-Based, Performance-Oriented Education

SECTION II

PERCEPTIONS OF STATE DIRECTORS ABOUT SIGNIFICANT LEGISLATIVE ACTION AFFECTING COMMUNITY AND JUNIOR COLLEGES

Introduction

In this section, the most significant legislative actions affecting community and junior colleges in 1976, as observed and reported by state directors of community and junior colleges, are reviewed and analyzed. These state directors, by the nature of their position, are able to view action of legislatures from a perspective that allows them to see clearly the interrelationship between various legislative issues, as well as the relative merit and significance of specific legislative actions. Their perceptions, then, are of importance to anyone interested in state legislative activity as it relates to community and junior colleges.

Of the 47 directors responding to this survey, 29 replied to the questions in the survey instrument requesting information on the most significant legislative actions affecting community and junior colleges in the states. Specifically, they were asked to cite what they considered to be the most crucial issues attracting legislative interest, attention, and action in 1976. Six distinct categories of issues were identified: (1) finance, (2) governance, (3) institutional growth, (4) legislative support, (5) personnel, (6) no significant action. Table 2 shows the distribution of the directors' responses among these categories. Notice that many directors cited only one crucial issue in 1976, while others listed as many as three.

TABLE 2

SIGNIFICANT LEGISLATIVE ACTIONS AFFECTING COMMUNITY AND JUNIOR COLLEGES AS REPORTED BY STATE DIRECTORS IN 29 STATES

State	Finance	Governance	Institutional Growth	Legislative Support	Personnel	No Significant Action	Total Issues Cited
Alabama		x					1
Arizona	x						1
Arkansas	x						1
California	x		x				2
Connecticut	x	x					2
Delaware	x				x		2
Florida	x		x				2
Georgia						x	1
Hawaii						x	1
Idaho				x			1
Illinois	x						1
Indiana	x						1
Iowa	x						1

Table 2 (cont.)

State	Finance	Governance	Institutional Growth	Legislative Support	Personnel	No Significant Action	Total Issues Cited
Kansas		x					1
Maryland	x	x			x		3
Massachusetts	x	x	x				3
Mississippi	x	x					2
Missouri	x			x			2
Nebraska						x	1
N. Hampshire						x	1
N. Mexico		x		x			2
New York	x						1
N. Carolina	x		x				2
Ohio	x		x				2
S. Dakota						x	1
Vermont						x	1
Virginia						x	1
Washington	x		x				2
Wisconsin	x		x				2
TOTAL	18	7	7	3	2	7	44

Before commenting on the significance of the data shown in Table 2, we call attention to the fact that the responses of the state directors were made in reply to the initial survey letter of February 20, 1976. This was very early in the 1976 state legislative year. The majority of the responses were made in early March, a time when most legislative sessions were still in their earlier stages of operation. The data in this section and the conclusions drawn from that data, therefore, should be read with this in mind because in a real sense there is a predictive element involved in the comments advanced by the state directors.

The rest of this section analyzes the state directors' responses. This will be followed by a different approach in Section III where the actual legislation eventually considered by the legislature will be reviewed.

Areas of Legislative Concern

Area 1: Finance

By far, the area perceived to be of greatest importance among the community college state directors was finance. Altogether, 18 state directors reported financing, i.e., the level of state support for community and junior colleges, as a crucial legislative issue in 1976. Such was the report from Arizona, Arkansas, California, Connecticut (both systems), Delaware, Florida, Illinois, Indiana, Iowa, Maryland, Massachusetts, Mississippi, Missouri, New York, North Carolina, Ohio, Washington, and Wisconsin. This is more than double the number of states in any other category used in this analysis. The financial difficulties of many state governments in general, and of postsecondary education in particular, is well

documented elsewhere (Carnegie Council for the Advancement of Teaching 1975; Glenny 1976; Henry 1976). The evidence presented here serves to substantiate that claim further, and to emphasize the severity of the problem.

Arizona reported that the main issue or concern regarding community colleges is in the area of finance because that state, like many others, is feeling the pressure of the currently depressed general economy. In Washington, the overriding issue in the 1976 legislative session was reported to be an attempt to find a solution to the state's severe funding problem. Recent developments in Connecticut indicate a major legislative concern with the need to reduce deficits. And in Delaware, the overwhelming mood was reported as one of preeminent concern with conservation of financial resources.

Missouri reported that the big issue is funding, with the only real matters of significant impact on Missouri junior colleges being those related to the appropriation process. In Illinois the big issues pertain to appropriations—a deficiency appropriation for FY 76 and proposed operating and capital budgets for FY 77. The continuing financial crisis in New York state has received considerable publicity in the general public media. As far as community colleges in that state are concerned, the state director reported that the crisis was and is such that the question of adequate funding has preempted almost all other considerations.

Even California and Florida, long recognized as "pacemaker" states in support given to community colleges and leadership in the American community college movement, reported rather serious financial troubles. The major issue in California was reported to be funding vis-à-vis a proposed extension of a 5 percent growth limit on state apportionments. In Florida, discussions in the House Appropriations Committee of the legislature about zero-budget analysis and a senate proposal to reduce personnel budgets by 12.5 percent (with accompanying reduction in program) were both cited as reflecting the general legislative mood caused by a rather severe economic crunch in that state.

In most states, the difficult economic times have generated increasing pressures for fiscal accountability of all agencies and institutions receiving public monies—community colleges included. The state director in Iowa noted that accountability and justification of need are the focus on all requests for money in that state. Our respondent from Indiana noted what he considered to be a gradual trend toward more conservatism on the part of legislators and a very strong feeling that they are not getting good information concerning budgets from the various state agencies. The likely result will be larger legislative staffs and increased accountability vis-à-vis budget requests and expenditure of state funds. In Wisconsin, cost-control procedures were cited as a major legislative and policy issue.

The inescapable conclusion, then, is that level of state support is a crucial legislative issue for community and junior college interests throughout the nation. The specifics vary within each state, but the overall trend is a consistent one nationwide. The situations in Massachusetts, Mississippi, North Carolina, and Ohio are somewhat exemplary of that trend, and the following scenarios illustrate why funding is such a crucial issue in many states.

Massachusetts

In September of 1975, the community colleges in Massachusetts accepted an increase in enrollment of 2,500 students which, along with a reduction in personnel, increased the student-faculty ratio from 17.2:2 to the current 22.2:1—an increase of almost 31 percent. Nevertheless, the governor recommended in his budget message that community colleges receive exactly the same budget in 1976-77 that they received in 1975-76, an amount already 5.6 percent less than expenditures for 1974-75. Additionally, in recommending the same budget for 1976-77, the governor also recommended an increase in enrollment of almost another 3,000 students.

Mississippi

The problem in Mississippi is how to fund existing services within revenues. During each of the fiscal years 1974, 1975, and 1976, Mississippi funded recurring operating costs from a surplus built up prior to 1974. Now the surplus is depleted, and current revenue increases of at least 7 percent are needed to continue funding the programs that were previously funded from surplus monies. It is unlikely that such increases will be forthcoming. This may mean reduced programs or services in light of increased fixed costs at the various institutions.

North Carolina

The state director of North Carolina reported that the budget is far and away the dominant legislative issue. State tax revenues are coming in at a rate far below the amount estimated when the 1975-76 budget was authorized, and thus will not be sufficient to balance the budget for FY 1975-76—not to mention the second year of the 1975-77 biennium. Consequently, the governor has instituted an economy program in all departments and agencies. What this means specifically for the state's community colleges is that they are being forced to restrict budgets while their enrollments are increasing substantially.

Ohio

In 1975-76 Ohio experienced the largest numerical growth in higher education that the state has ever enjoyed; but the state was $15 million short in paying the colleges and universities the amount of money earned on the funding formula. This has presented a particular hardship to many two-year campuses that experienced a large influx of students. From all indications, this enrollment growth will continue through the second year of the biennium. The legislature will probably not appropriate any additional funds, so the colleges must tighten their belts even more to serve more students without a corresponding increase in dollars.

Area 2: Governance

Seven state directors reported actions relating to governance as among the most significant legislative actions affecting community and junior colleges. The

theme is predominantly one of reorganizing the governance structure of postsecondary education with an eye towards coordinating resources in a more effective and efficient manner. The seven states making specific comments relating to governance were: Alabama, Connecticut (both systems), Kansas, Maryland, Massachusetts, Mississippi, and New Mexico.

Alabama's legislature is becoming increasingly sensitive to what appears to be unnecessary duplication of resources, competition, and waste of state monies. At the present time, avoiding unnecessary duplication of technical-vocational and adult-continuing education seems to be the major concern. Combination of adult-continuing education coordinating councils with vocational-technical education coordinating councils under the auspices of the Commission on Higher Education is considered to be a likely possibility.

In Connecticut, legislation has been proposed that would substantially reorganize the state's two-year colleges. In short, the legislation would consolidate the regional community colleges, the state technical colleges, and the undergraduate branches of the University of Connecticut into one system of two-year regional technical and community colleges to be administered by a single Board of Trustees. In another proposal in Connecticut, a single Board of Regents would have been put in control of all public higher education in the state. The bill succeeded in only one house of the legislature.

An attempt was made in Kansas to transfer the community-junior colleges to the Board of Regents. Also, the matter of duplication of effort in continuing education and extension activities was reported to be of considerable concern to both House and Senate Education Committees. These activities will be carefully monitored by these committees in the months ahead.

In analyzing the developments in Kansas, our respondent from that state reported that some interests in Kansas believe the legislature is seeking to effect greater state-level control and coordination over the activities of community-junior colleges through the State Board of Education. He indicated that forces outside the legislature have long sought greater coordination and control of these institutions, and that these forces are now beginning to make themselves heard in the legislature.

Maryland reported that the major emphasis during the 1976 legislative session was on the proposed changes to the structure and governance of Maryland education. In January of 1973, the governor of Maryland appointed a Commission on the Structure and Governance of Education and charged it with undertaking a study of all education in Maryland. This commission issued its final report, popularly termed the "Rosenberg report," in May of 1975; at that time, a task force was created to evaluate the recommendations of the report. The task force recommendations, of December 1975, were then written into legislation as Senate Bill 347.

The 1976 legislature passed the proposal (with amendments) that generally revises the structure and governance of postsecondary education in Maryland.

Specifically, S.B. 347 creates the State Board for Higher Education, an amalgamated state higher education agency with rather extensive coordinating responsibilities for Maryland's tripartite system of postsecondary education; abolishes the Maryland Council for Higher Education; creates an Education Coordinating Committee to coordinate policies and activities of elementary, secondary, and higher education in the state; and changes the composition of the Board of Trustees of the State Colleges and the State Board for Community Colleges.

In Massachusetts, several bills were recently introduced for the reorganization of public higher education. One bill would establish a single governing board for all of higher education, thereby eliminating the three existing state boards—i.e., those of the University of Massachusetts, the state colleges, and the community colleges.

Area 3: Institutional Growth

Seven state directors reported actions relating to institutional growth as among the most significant legislative actions affecting community and junior colleges. More precisely, the issue here is one of *restrictions* on institutional growth vis-à-vis limitations on enrollments—either through outright "caps"[1] or through funding levels that make enrollment growth financially infeasible. The seven states were: California, Florida, Massachusetts, North Carolina, Ohio, Washington, and Wisconsin.

A good example of concern about institutional growth is found in North Carolina where, in FY 1975-76, the community college system received only $99 million of a request of $118 million, even though enrollments had shot up 30.2 percent. The result has been strained budgets, faculty overloads, and reductions in programs and services at numerous institutions. Most significantly, the state director of North Carolina reported that for the first time students are being turned away.

Both Ohio and Massachusetts reported serious economic difficulties caused by increasing enrollments accompanied by stabilizing and even decreasing levels of state support. The Massachusetts Board of Regional Community Colleges has maintained that institutions should not be required to increase enrollments without also receiving an increase in monies necessary to employ new faculty.

In Florida, the 1976-77 appropriation bill extends enrollment caps for still another year. Our respondent noted that state officials continue to have discussions about which students should have priority on enrollments with the cap. Most significantly, he noted that some of the discussions reflect a return to elitism and movement away from the open door concept.

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[1] The term "caps" identifies one of two types of administratively imposed ceilings. The first type, administrative expenditure ceilings, pertains to fiscal concerns; the second, administratively imposed enrollment ceilings, addresses enrollment capacity. Use of this term in this study will refer solely to the latter.

Community college interests in California fared somewhat better, as they were successful in having the year-old enrollment cap removed. Last year in California, widespread criticism by the governor of so-called "frill" courses coincided with an unexpected rapid enrollment growth, and the end result was a 5 percent growth cap that took effect in the budget starting July 1, 1975. The governor submitted a budget to the legislature this year that would have extended the cap on community college enrollment growth. This legislation was not successful. Instead, new finance legislation, S.B. 1641, was enacted to provide an estimated $30 million in additional funds that would not have been forthcoming had the cap been extended.

Area 4: Legislative Support

Legislative action to strengthen the legal base of community and junior colleges was cited by state directors in Idaho, Missouri, and New Mexico as among the most significant action affecting those institutions in 1976.

Officials from Idaho indicated a concern for an apparent lack of consistent policy toward the system of junior colleges, particularly in terms of the current state of the law regarding their role in Idaho. Over the years, a body of laws has developed pertaining to the establishment, support, authority, and responsibilities of junior colleges that are, for the most part, ambiguous and sometimes conflicting. The legislature, apparently, is attempting to remedy this situation.

Efforts to recodify the junior college laws are gaining considerable strength in Missouri. With the recent transfer of the junior colleges to the Missouri Board of Higher Education, such a recodification effort seems especially needed. Our respondent in the state reported that the climate is favorable to the accomplishment of this task.

In New Mexico, each institution presently operates under its own separate law, and this has resulted in an inconsistent system with inconsistencies in governance, financing, and access. An interim legislative committee has been commissioned to study the problem. Additionally, the Board of Educational Finance-Commission on Postsecondary Education is currently conducting meetings throughout the state in an effort to emphasize the two-year college operating inconsistencies brought about by the myriad of governing statutes. The goal is to focus statewide attention on this problem and to create a "call" for a comprehensive statute.

Area 5: Personnel

Respondents in Delaware and Maryland labeled legislative actions affecting community and junior colleges in the area of personnel as among those attracting the most interest.

Delaware reported rather serious state financial problems that have resulted, on the one hand, in talk about cutbacks in staff (i.e., retrenchment) and, on the other, in continuing pressures from educators regarding the collective

bargaining process. Legislative interest in reforming the state pension system was also cited as significant. In Maryland, legislative interest in public sector collective bargaining was cited as significant.

Area 6: No Significant Action

The respondents in seven states reported that no legislative activity significantly affecting community and junior colleges had occurred in their states during the 1976 legislative session. These states were: Georgia, Hawaii, Nebraska, New Hampshire, South Dakota, Vermont, and Virginia. That some states had no significant legislative activity relative to community and junior colleges is in itself informational. For this reason, "no significant action" was included as a separate category in the analysis.

Conclusion

State directors in 18 of the 29 states responding to this part of the survey cited finance—i.e., the level of state support—as the single most significant legislative issue for community and junior colleges in 1976. That funding is a major concern should certainly come as no surprise given the general economic conditions of the past few years and the reluctance of legislators to raise taxes in this an election year. Nevertheless, the extent of this concern, as expressed in the responses of the state directors, is noteworthy. The figure becomes even more impressive if one recalls that 7 directors reported no significant legislative action at all.

Additionally, many of the legislative issues reported by state directors that were classified into categories other than finance were in fact indirectly related to the finance issue. The legislative issues classified in the governance category, for example, are very much related to finance. Responses of the state directors indicate that attempts to reorganize the governance structure of postsecondary education and efforts for more and stronger statewide coordination were cited as significant legislative action primarily because they offer states new ways of dealing with the financial problems that they face. Also, the legislative issues classified in the institutional growth category and dealing with limitations on enrollments are clearly related to the finance issue, as are the personnel issues of retrenchment and collective bargaining. In short, the issue of adequate funding seems to permeate almost all legislation the state directors reported as significantly affecting community colleges in 1976.

The data indicate that state legislatures in 1976 are showing an increasing reluctance to fund community and junior colleges at a level that the state directors of these institutions believe is necessary for the institutions to accomplish the educational purposes for which they were created. One wonders what the implications of this trend will be for community colleges in America vis-à-vis the special role they have played in American postsecondary education. Will the open-door policy and egalitarian principle of American community colleges ultimately be threatened because of inadequate funding? It is yet too early to definitively answer this question. However, policy makers at all levels should note that the

trend is *not* an insignificant one. Our data here have indicated as much. Also, a recent survey conducted by the American Association of Community and Junior Colleges further substantiates this conclusion.[2] The survey reports that open admissions has been curtailed in 13 states, with budget limitations cited as the reason for curtailment in 11 of these. Other interests have, in recent months, attempted to call attention to this alarming trend.[3]

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[2]The results of this survey were made available for discussion at the 1976 summer workshop of the National Council of State Directors of Community and Junior Colleges (Philadelphia, July 7-9, 1976).

[3]Lewis Mayhew recently addressed this issue in a speech presented at the annual meeting of the College Entrance Examination Board (fall 1976).

SECTION III

SUMMARY OF STATE LEGISLATION RELATING TO POSTSECONDARY EDUCATION

Introduction

In this section, the actual legislation considered in the various states is reviewed. This differs from the approach taken in Section II, where the observations of state directors about legislative activity in the states were reviewed and analyzed. In this section the reader will simply find a straightforward reporting of facts as taken from various legislative documents provided by the respondents. As was indicated in Table 1, 29 state directors supplied documents for such an analysis.

The scope of legislative activity of state legislatures is presented in Tables 3 and 4 by seven major areas divided further into 24 subject categories. This method of reporting the data is essentially the same as that used in a series of state legislation surveys published annually by the U.S. Office of Education from 1957 through 1964 (Martorana et al. 1957-1964). In this report the major areas have been modified somewhat from what they were in those earlier reports, and several additional subject categories have been added. Also, all of the categories have been divided by type of postsecondary education institution affected by the legislation. This latter modification continues a practice begun by Martorana and McGuire in their report on 1973-75 state legislation.

Concerning the subject categories listed in Tables 3 and 4, it should be emphasized that, although the categories are mutually exclusive, a single piece of legislation can address several topics and be classified into more than one category. Thus, the reader should note that the "Total Legislation" column has two subtotals. In one, a count of the total *pieces* of legislation reported is maintained; in the other, the total number of *topics* covered by that legislation. The two counts, of course, will differ, with the total number of topics covered being greater than or equal to the total number of pieces of legislation reported. Both are significant, however, in that one shows state legislative activity as a function of the total number of pieces of legislation considered by the legislature; the other indicates state legislative activity as a function of the number of topics addressed by that legislation.

A significant addition to the method of reporting used in the earlier Martorana and McGuire report is a distinction made in the 1976 report between "legislation enacted" and "legislation introduced but not enacted." Table 3 reports only on legislation that actually became law. Table 4 reports on what will here be called proposed legislation—that is, legislation that was introduced in the 1976 state legislative sessions but *not* enacted. Proposed legislation was included in this report to indicate possible trends in legislative intent and to establish a basis for doing such an analysis over time as new annual surveys are made.

TABLE 3

NUMBER OF LEGISLATIVE ITEMS ENACTED IN 1976 AS REPORTED FROM 28 STATES AND PUERTO RICO BY MAJOR TOPICS OF CONCERN AND TYPES OF INSTITUTIONS AFFECTED

STATES	FINANCE			ADMINISTRATION						PHYSICAL FACILITIES		INSTITUTIONAL GROWTH				PERSONNEL				STUDENTS			ACADEMIC PROGRAMS		TOTAL LEGISLATION	
	Appropriations for Operations	Capital Funds	Financial Procedures	Governance Structure	Process of Policy Formation	Administrative Operations	Coordination	Studies and Surveys	Enabling Legislation	Building Codes	Land Acquis. & Transfer	New Institutions	Institutional Expansion	Name Changes	Restriction of Growth	Employee Benefits	Employee Rights	Collective Bargaining	Faculty Workload	Rights & Responsibility	Tuition & Fees	Student Aid	Curricula	Accreditation & Certification	# of topics covered	# of pieces of legislation
INSTITUTIONAL CLASSIFICATION[1]			A B C	state A B C	local A B C	state A B C	local A B C	state A B C	local A B C	state A B C	local A B C	A B C	A B C	A B C	A B C	A B C	A B C	A B C	A B C	A B C	A B C	A B C	A B C	A B C		
Alabama	2																								4	3
Arizona	2	2	1									1								1			1		8	8
Arkansas			1					1																	1	1
California			1	2 1	2	4		5		1			1			1	1			8 3	5	13	5		57	38
Connecticut	1	1	1								1										2	1			7	6
Delaware	1	1	2 1													1									1	1
Florida	1					2				3					1	4	1 1	1 1		1	1	1		1	27	20
Idaho	1	2	1		1																				1	1
Illinois	1	1																							5	5
Iowa	2				2				1						1	2 1	2						2	1	14	10
Kansas	1		2 1	1 1	1	1	1	1 1	1							1 1				1 1 1	1 1	1	1 1		8	7
Kentucky	1																								13	9
Maryland	1			1 1	1 1	1	1	1 1								1	1	1			1 1	1			8	5
Massachusetts[2]																									0	0
Michigan	1							1																	13	13
Mississippi	2	3	1 1									2								1					11	8
Missouri	1																								1	1
New Jersey	1	1						1												1 1					2	2
New York	2		1 2					2																	8	7
North Carolina	1	1																							5	5
Ohio	2		1 1 1					1	1												1	1			4	3
Pennsylvania	1		1 1 1					1																	8	4
Rhode Island[2]	1																								1	1
South Carolina			1 1		1	1	1		1							1					1				9	3
Tennessee																	1					1			5	5
Virginia	1			2																2	1				10	8
Washington	1	2	2	1		1	2	1 1					1			1	1						1		12	8
Wisconsin																									1	1
Puerto Rico	1							1																1	1	1
TOTALS Legislation	28	14	10 17 3	2 8 0	4 0 0	1 4 1	8 0 0	0 5 0	7 1 4 0	0 4 0	5 0 0	1 4 0	3 0 0	1 2 0	1 0 0	1 2 0	1 1 0	0 0 0	2 0 0	4 9 0	3 4 1	0 2 1	0 0 0	8 1 1 2	8 9 1	2 8 0	9 2 0	0 0 2	237	171
States	22	9	14	6		8		13		5		3	3	2	1	2	2	0	2	9	6	2	0	8	9	7	5	2		

NOTE: The figures presented in this table were generated from the categorization of legislative items in Appendix 3.

[1] Institutional Classification Code: A: Community and Colleges Only
B: Larger Segment of Postsecondary Education including Community and Junior Colleges
C: Segments of Postsecondary Education Other Than Community and Junior Colleges

[2] Final word was not received on the legislative proposals in these states. Thus, the bills reported here may include legislation that was eventually enacted, as well as legislation that was never successfully reported out of committee.

TABLE 4
NUMBER OF LEGISLATIVE ITEMS PROPOSED IN 1976 AS REPORTED FROM 28 STATES AND PUERTO RICO BY MAJOR TOPICS OF CONCERN AND TYPES OF INSTITUTIONS AFFECTED

STATES	FINANCE			ADMINISTRATION						PHYSICAL FACILITIES		INSTITUTIONAL GROWTH				PERSONNEL				STUDENTS			ACADEMIC PROGRAMS		TOTAL LEGISLATION	
	Appropriations for Operations	Capital Funds	Financial Procedures	Governance Structure	Process of Policy Formation	Administrative Operations	Coordination	Studies and Surveys	Enabling Legislation	Building Codes	Land Acquis. & Transfer	New Institutions	Institutional Expansion	Name Changes	Restriction of Growth	Employee Benefits	Employee Rights	Collective Bargaining	Faculty Workload	Rights & Responsibility	Tuition & Fees	Student Aid	Curricula	Accreditation & Certification	# of topics covered	# of pieces of legislation
	INSTITUTIONAL CLASSIFICATION																									
			A B C	state A B C	local A B C	state A B C	local A B C	state A B C	local A B C	state A B C	local A B C	A B C	A B C	A B C	A B C	A B C	A B C	A B C	A B C	A B C	A B C	A B C	A B C	A B C	A B C		
Alabama		1		1		1			1																2	1
Arizona												1													6	5
Arkansas		1	5	2		1			1									1							6	6
California				4		2	1		3 1	1						2	1			2	1 1	1 1	3 1	2	29	18
Connecticut									1																14	11
Delaware			1				2 1	1							1 1							1			3	1
Florida			1	2				1	1 2		1					1 2	1		1	1 1	1	1	1		28	20
Idaho													1												1	1
Illinois	1	2			1		1	1		1												1		1	9	5
Iowa			1				1		1 1																7	1
Kansas																1	1	1				1 1			5	5
Kentucky				1		1										1									4	2
Maryland				1 3	3	1											1 1			1	1	1			11	7
Massachusetts[a]				1																			1		4	2
Michigan									2 1																11	7
Mississippi			1	1 1	2	1 1																			10	13
Missouri	2				1				2			1		2	1 1					1		1	1	1	7	6
New Jersey			1 1			1	1		1													1			5	3
New York																				1			1	1	8	6
North Carolina																									0	0
Ohio			1													2									1	1
Pennsylvania				1		1			4											1			11		15	6
Rhode Island[a]				1				2 1																	2	2
South Carolina																									0	0
Tennessee																									0	0
Virginia																1		1			1				3	3
Washington																									0	0
Wisconsin																									0	0
Puerto Rico																									0	0
TOTALS Legislation	3	4	6 3 1	3 13 2	6 6 0	1 10 0	1 4 1	0 4 1	0 0 0	2 0 2	2 2 0	1 3 1	0 0 0	0 1 1	1 0 0	2 0 0	0 3 1	4 6 0	2 2 1	1 2 0	0 1 0	2 0 1	2 3 0	1 7 1	0 3 1	0 3 1	196	116
TOTALS States	2	3	7	12		11		8		3		2	0	3		9	4	3	1	7	5	8	7	3		

NOTE: The figures presented in this table were generated from the categorization of legislative items in Appendix 3

[1] Institutional Classification Code: A: Community and Colleges Only
B: Larger Segment of Postsecondary Education Including Community and Junior Colleges
C: Segments of Postsecondary Education Other Than Community and Junior Colleges

[a] Final word was not received on the legislative proposals in these states. Thus, the bills reported here may include legislation that was eventually enacted, as well as legislation that was never successfully reported out of committee

Not all "proposed" legislation was included in the analysis. That is to say, not all of the legislation that was introduced in state legislatures nationwide is reported on. Instead, a decision was made to attempt to "screen out" from the total pool of proposed legislation only those bills most substantive and most indicative of trends in legislative intent.

The criterion used for including a bill as proposed was whether or not it was successfully reported out of committee in the legislative house in which it originated. Bills successfully reported out of committee were included in the analysis. This takes into account both legislation that was eventually defeated (either on the floor or by gubernatorial veto), and also legislation that never received final action in the 1976 legislative session. Bills that were defeated in committee and bills that died for lack of action in committee were excluded from the analysis, and thus are not reported in Table 4. By utilizing this "screening mechanism," we were able to select those bills that had at least enough consensus and support in 1976 to receive a favorable reporting in committee, and thus to this extent, at least, can be spoken of as being an indication of legislative intent and possible future legislative action.

The data in this section have one significant limitation that needs mentioning. The figures in Tables 3 and 4 do not represent total state legislative action occurring in 1976, but only that reported in response to our inquiries for data. Although the cooperative effort behind this report implies a high level of confidence that full state legislative coverage is achieved, and the repeated persistent calls for field reports adds to this assurance, there is, admittedly, no guarantee of a 100 percent attainment of the goal. Tables 3 and 4, therefore, should be interpreted as indications of predominant weight of and trends in legislative activity, and as a reasonable basis for seeing a general nationwide picture. They also provide interstate comparisons believed to be significant, even if not based on total coverage of legislative activity.

Recognizing this limitation, the data in Tables 3 and 4 nevertheless allow for some interesting observations. For example, the figures show California and Florida to be the states with by far the most legislative activity in 1976. California had activity in 16 of the 24 subject categories, with 54 pieces of legislation (36 enacted, 18 proposed) considered in all. Florida had activity in 18 of the 24 subject categories, with a total of 40 pieces of legislation (20 enacted, 20 proposed) considered. In contrast, a few states—Arkansas, Missouri, and Wisconsin, and the commonwealth of Puerto Rico—reported legislative action in only 1 category. In addition to permitting interstate comparisons such as these, the data in Tables 3 and 4 also show the extent of legislative activity by major areas. To illustrate, the areas receiving the greatest attention in 1976 were Administration, for which a total of 148 pieces of legislation (69 enacted, 79 proposed) were considered in 23 different states, and Finance, for which 95 pieces of legislation (76 enacted, 19 proposed) were considered in 27 states. The areas receiving the least attention were Physical Facilities and Institutional Growth.

What follows now is a brief discussion of the legislative activity in each of the seven major areas and 24 subject categories as summarized in Tables 3 and 4.

References made to specific state legislation are related to the appropriate item in Appendix A by a double number in parentheses following the reference. The first number identifies the state; the second, the specific item of that state as listed in the appendix.

This section does not include any major analysis of the data. Such an analysis and interpretation will be presented in Section V. Here the data are simply reported directly. Also, this section makes no attempt to summarize in a comprehensive fashion all of the legislation that was enacted and proposed in each of the categories. Rather, for each category, specific legislation that illustrates the types of legislative activity being reported on in each of the categories has been selected.

To review *all* of the legislation in one or more categories, turn to the "index of legislation" in Appendix B, so that the legislation of interest can be identified. Then, to get an idea of the actual content of that legislation, consult the appropriate annotations listed in Appendix A.

State directors and their staffs should find this service particularly useful in keeping informed generally on the legislation nationwide relative to community and junior colleges. Also, if information is sought on specific legislative proposals in a particular state or states, that information, too, can be found in the appendices.

Legislative Areas

Area 1: Finance

The first area of legislative activity presented in Tables 3 and 4 includes a total of 76 pieces of legislation enacted and 19 proposed in 27 different states. The area of finance includes three subject categories: (1) appropriations for operations, (2) capital funds, and (3) financial procedures.

Appropriations for Operation[4]

As has been true in past years, the general trend of appropriations for community and junior colleges continues to be upward in *absolute amounts*. Data relative to appropriations for current operations and FTE enrollment were accumulated for 20 states. As Table 5 indicates, all 20 states showed an increase in absolute amounts provided for current operations.

The data also generally show a similar conclusion for FTE enrollments. That is, in 17 of the 19 states for which complete enrollment figures for both years shown were available, FTE enrollments for community and junior colleges increased in absolute amounts. The two exceptions were New York and Tennessee.

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[4]For a similar analysis see data compiled by M.M. Chambers as reported in The *Chronicle of Higher Education*, October 25, 1976.

TABLE 5

PERCENTAGE CHANGE IN GENERAL APPROPRIATIONS FOR CURRENT OPERATIONS OF COMMUNITY/JUNIOR COLLEGES AND FTE ENROLLMENT FOR 20 STATES: 1975-76 AND 1976-77

State	1975-76 Appropriation	% Change	1975-76 FTE	% Change	1976-77 Appropriation	% Change	1976-77 FTE	% Change
Alabama	28,437,100	–	42,295	–	29,000,000[a]	2.0	44,000[a]	4.0
Arizona	29,635,610	18.7	53,408	7.0	30,410,668	2.6	55,095	3.2
Arkansas	8,253,755	48.7	6,074[a]	38.3	9,381,701[a]	13.7	7,102[a]	16.9
Florida	149,000,000[a]	–	–[b]	–	161,582,330	8.4	162,132[a]	–
Idaho	2,479,200	–	2,250	–	2,788,100	12.5	2,475[a]	10.0
Illinois	97,293,165	7.7	169,920	–	111,137,234	14.2	176,723[a]	4.0
Iowa	25,800,000	48.6	42,076[a]	9.6	29,800,000	15.5	44,254[a]	5.2
Kentucky	11,609,100	–	11,500	–	13,358,353	15.1	12,075	5.0
Massachusetts	38,915,485	–	29,441	–	41,041,170	5.5	29,441[a]	0
Mississippi	20,235,400	30.5	31,400	17.6	20,380,769	0.7	33,280[a]	6.0
Missouri	18,565,729	23.1	37,102	22.3	26,045,851	40.3	47,025[a]	26.7
Nevada	5,796,090	32.6	4,727	2.4	6,885,059	18.8	5,479	15.9
New Jersey	31,575,000	–	67,698	–	33,877,200	7.3	68,500	1.2
New York	88,900,000	–	117,522	–	93,950,000	5.7	116,820	-0.6
N. Carolina	110,663,386	1.1	104,523	8.4	127,037,823	14.8	114,687	9.7
Pennsylvania	29,624,753	–	52,883	–	32,531,892	9.8	58,257	10.2
Rhode Island	9,284,067	–	5,500	–	12,470,576	34.3	6,000[a]	9.1
S. Carolina	23,700,000	–	29,400	–	24,000,000	1.3	36,000	22.4
Tennessee	17,852,000	20.4	16,877	37.7	21,879,000	22.6	16,780	-0.6
Wisconsin	34,512,900	–	52,633[a]	9.6	38,515,200	11.6	56,690[a]	7.7

NOTE: The percentage change reported for 1975-76 is the change over 1974-75 as reported in Martorana and McGuire's *State Legislation Relating to Community and Junior Colleges, 1973-75*; the change for 1976-77 is the change from 1975-76. All changes are positive (+) except as otherwise noted. For several states—Illinois, Nevada, North Carolina, and Tennessee—the 1975-76 figures were obtained in response to field validation of the present report.

[a] estimated

[b] not available

When comparing the absolute difference between the percentage changes, 1976-77 and 1975-76, in appropriations and FTEs, the states can be classified into five categories:

1. States where the percentage change in appropriations is "roughly equal," within 5 percentage points, to that in enrollments. In other words, this category includes states where the percentage change in either appropriations or enrollment could exceed that in the other of these two considerations, but the absolute difference between the two is always equal to or less than 5 percentage points. Seven states are in this category: Alabama, Arizona, Arkansas, Idaho, Nevada, Pennsylvania, and Wisconsin.

2. States where, with the appropriations percentage change larger than the FTE change, the absolute difference is within 5 to 10 percentage points. Four states are within this category: Massachusetts, New Jersey, New York, and North Carolina.

3. States where, with the appropriations percentage change larger than the FTE change, the absolute difference is greater than 10 percentage points. Six states are included: Illinois, Iowa, Kentucky, Missouri, Rhode Island, and Tennessee. The last two show an absolute difference greater than 20 percentage points.

4. States where, with the FTE figure percentage change higher than the appropriations change, the absolute difference is within 5 to 10 percentage points. Only Mississippi is in this category.

5. States where, with the FTE percentage change larger than the appropriations change, the absolute difference is greater than 10 percentage points. Only South Carolina, whose absolute difference is approximately 21 percentage points, is in this category.

In all, 13 states reported a percentage change in appropriations greater than in enrollments; 6, a percentage change in appropriations less than enrollments.

Capital Funds

Capital funds are derived primarily from two sources: (1) state appropriations and (2) income from the sale of bonds. Activity in this category was reported in 10 states with 18 pieces of legislation reported in all—14 enacted and 4 proposed. Of the 18, 5 were bond issue legislation, 13 were capital funds appropriation legislation.

Financial Procedures

Forty-six pieces of legislation—34 enacted, 12 proposed—were reported in the financial procedures category. This is the largest number reported for any one of the 24 subject categories. Sixteen states reported activity in this area. California reported 15 pieces of legislation affecting financial procedures—10 enacted and 5 proposed. With the exception of California, legislative activity in this area was spread quite evenly among the states. Florida reported 3 laws and 1 proposed bill, and no other state reported more than 3 pieces of legislation in this area.

The legislation affecting financial procedures can be classified into five subcategories:

1. Legislation resulting in greater financial flexibility

2. Legislation resulting in greater state control of expenditure of funds

3. Legislation resulting in a greater amount of available funds

4. Legislation resulting in a decrease in available funds

5. Legislation bearing on methods of accounting and/or auditing procedures.

The distribution of these subcategories in 1976 is as follows:

	Legislation Enacted	Legislation Proposed	Totals
More Flexibility	13	4	17
More State Control	4	2	6
More Funds	7	1	8
Less Funds	2	2	4
Accounting/Auditing	7	2	9
TOTALS	33	11	44

NOTE: Two pieces of legislation—1 enacted and 1 proposed—could not be classified because incomplete information was received on reported changes in funding patterns.

As the preceding table indicates, legislation having a liberalizing effect on the financial procedures of institutions were the most numerous. Examples of legislation resulting in *greater financial flexibility* are laws passed in California (5-17) and North Carolina (33-5).[5] The law enacted in California provides for individual community college district investment of budget surplus in bank time certificates of deposit. This will allow more investment flexibility for the districts. The law passed in North Carolina provides that, during the 1976-77 fiscal year, any net tuition and academic fees realized in excess of the amounts anticipated in the academic budgets of the Department of Community Colleges shall be made available to provide operating support for the affected budgets and shall not be used as the basis for reductions in appropriations. Clearly this law will allow institutions a good deal more flexibility in planning and managing their financial resources. However, the question may be raised whether this legislation will also result in tuition and fee increases.

Legislation resulting in *greater state control over expenditure of appropriated funds* was reported in five states. Included here is a law enacted in Pennsylvania (38-3) that requires all federal funds received by the Commonwealth to be deposited in the General Fund Account. Furthermore, the law prevents the state treasurer from paying out any and all federal monies that have not been specifically appropriated by the General Assembly. A law passed in Ohio (35-4), but later vetoed by the governor, also illustrates the type of legislation in this category. The law would require all unearned subsidies for individual colleges to revert back to the legislature for possible reallocation.

[5]The numbers in parentheses refer to items in Appendix A. The first number identifies the state; the second, the item number of the specific item for that state.

Eight pieces of legislation were received that will result in an *increase in funds available* for postsecondary education. S.B. 1641 in California (5-30) removes the enrollment cap in that state and, in its place, legislates a new funding mechanism that will result in an estimated $35 million in additional funds. Other legislation that increases funding either directly or indirectly includes laws enacted in Florida (9-5), North Carolina (33-4), Pennsylvania (38-4), and Washington (47-2). H.B. 2635 in Florida increases the student loan bonding authority from $40 million to $60 million. Legislation passed in Pennsylvania provides for the first-time state reimbursement to community colleges for students who are not residents in the area of the local sponsor of the college they are attending and who have enrolled themselves in the college without the approval of the Board of the community college established in the area in which they do reside.

New legislation in Washington amends the contract enrollment concept passed in 1975 by striking all language requiring the colleges to pay back to the state general fund a sum equal to the operating fees for all FTEs in excess of 101.5 percent of the contracted enrollment level. Finally, legislation enacted in North Carolina is particularly interesting in that it provides that no community college shall be funded in 1976-77 at less than the actual 1975-76 funded level unless a decline in the enrollment projections of an institution justified a reduction in the allocation of funds.

Only four pieces of legislation—two enacted, two proposed—were reported that result or would result in a *decrease in available funds*. Included here is legislation proposed in New York (32-8) that, were it enacted, could have a significant impact on that state's fiscal support of *public* community colleges. This bill—which actually was passed by the New York State Senate, though not approved by the Assembly—would have authorized counties not sponsoring a community college to contract for educational services with nonpublic two-year colleges located in the county. And, most importantly, this legislation would have entitled these nonpublic institutions to state aid in the same manner that the state finances public community colleges.

Legislation affecting *accounting and auditing procedures* was reported in six states, with nine pieces of legislation—seven enacted, two proposed—reported in all. Laws enacted in Florida (9-7) and California (5-31), as well as those proposed in Delaware (8-2) and Florida, (9-37) best illustrate the types of legislation in this category. Legislation was enacted in Florida that will require all state agencies to submit to the legislature a report of all conventions, conferences, and meetings attended at public expense outside the state by officers and employees of the state. Also, legislation was proposed in that state to require the commissioner of education to define a comparable information cost-reporting system for all institutions of higher education, with comparable FTE, terminology, and program standards.

In California, legislation was enacted requiring community college districts to make certain reports regarding expenditures from proceeds of the tax collected for certain community recreation and community service purposes. And, in Delaware, a proposed resolution did pass the House that would have required the executive branch of government to prepare annual operating budgets using zero-based budgeting techniques.

Area 2: Administration

One hundred and forty-eight (148) pieces of legislation were reported in the general area of administration, the most for any of the seven major areas listed in Tables 3 and 4. Twenty-three states reported legislative activity in this area, with California and Florida reporting the most activity. California reported 30 pieces of legislation—21 enacted, 9 proposed; and Florida reported 19—7 enacted, 12 proposed.

The area of administration includes six subject categories: (1) governance structure, (2) process of policy formation, (3) administrative operations, (4) coordination, (5) studies and surveys, and (6) enabling legislation. For the first four of these categories, a further distinction was made in the analysis between those having impact on the state level—i.e., affecting the nature of the state's direct involvement in postsecondary education—and those having impact on the local level—i.e., affecting postsecondary education at the institutional level. Attention is called to the fact that no *separate* count was made of legislation having an impact on *both* state and local levels. Instead, for legislation judged to have an impact on both levels, a count was made in the local category *and* in the state category as indicated in Tables 3 and 4.

For that legislation judged to be local in its impact, an attempt was made to interpret the intent of that legislation vis-à-vis the autonomy and freedom of postsecondary institutions. This was done in two ways. First, each piece of legislation was evaluated for the degree of control implied in the *language* of the legislation. More specifically, each was judged to be "mandatory" or "permissive." Second, the *content* of each piece of legislation was evaluated in terms of the effect on institutional autonomy. That is, each piece of legislation was judged to be either "erosive" or "supportive."

Mandatory legislation usually *requires* action of some sort by the institutions. Examples of this type of legislation are abundant in the data—in each of the four subject categories for which the analysis was done. A good illustration is proposed legislation in Massachusetts (21-3) that would *require* the addition of a faculty member to the Board of Trustees of community colleges, and another is a law enacted in Iowa (15-9) that *requires* the expansion of programs in the community colleges of that state to first be approved by the State Board of Public Instruction.

The language of permissive legislation is written so as to *permit* or *allow* certain actions by the institutions, not require them. Good illustrations here are legislation enacted in California (5-2) that *allows* community college districts to enter into a contract with the governing board of any other district for the exchange of certified personnel and legislation proposed in that same state (5-47) that would *permit* a community college district to begin work on or receive or award bids for an approved project prior to the legislature's appropriation, providing the district can demonstrate it has the financial capability to complete the work begun in the event the legislature makes no appropriation for the project.

Erosive legislation is defined as legislation that weakens institutional autonomy. Illustrative of this type of legislation is a bill proposed in Florida (9-31) that would require approval of the Commissioner of Education, the State Board of Education, and the legislature before institutions could acquire land to establish additional centers or campuses. Another example, also proposed in Florida (9-30), is legislation that would require universities and community colleges to operate under a common academic calendar not later than September 1977.

Supportive legislation is that which itself initiates, follows up, confirms, or otherwise endorses actions that tend to support institutional autonomy. A good illustration here is legislation proposed in Florida (9-24) that would repeal the requirement that community college personnel record 15 and university personnel 12 classroom hours per week. Instead, the Board of Regents and community college trustees would adopt procedures to establish minimum and maximum classroom teaching hours for each institution.

Of the 68 pieces of legislation evaluated as being local in their impact, we were able to clearly classify 58 of these in terms of the typology just described above—i.e., mandatory/permissive and supportive/erosive. The distribution of the data in this classification follows:

	Legislation Enacted	Legislation Proposed	Totals
Mandatory	16	15	31
Permissive	16	11	27
Erosive	14	13	27
Supportive	18	13	31

As the above table indicates, the data are very evenly distributed among the various categories of the typology. Thus, it would appear difficult to speak in terms of any "trends" in legislative intent vis-à-vis institutional autonomy. However, a comparison between California and Florida on this typology is perhaps worth noting. Considering legislation enacted and proposed together, the distribution *by state* of legislation having local impact is shown in Table 6:

Governance Structure

This category includes legislation that affects governance with a particular focus on *structure* and changes in governance structure. On the local level, such legislation usually affects the membership of institutional Boards of Trustees, as does legislation in California (5-6, 5-8), Massachusetts (21-3, 21-4), Mississippi (24-13, 24-17), and New Jersey (30-4). On the state level, such legislation affects the membership of various state Boards, as do bills vetoed by the governors of California (5-45) and Florida (9-22) and legislation proposed in South Carolina (40-6), Massachusetts (21-5), and Connecticut (7-15). Other legislation reported as having an impact on the state level affects statewide governance structures in much more radical ways. Of special importance in this regard is legislation en-

TABLE 6

TYPE OF LEGISLATION BY STATE

State	Mandatory	Permissive	Erosive	Supportive	Total Legislation
Arizona	1	1	0	2	2
California	5	15	5	15	20
Connecticut	0	1	0	1	1
Florida	8	4	7	5	12
Illinois	0	1	1	0	1
Iowa	3	0	2	1	3
Kansas	0	1	0	1	1
Kentucky	1	0	1	0	1
Massachusetts	2	0	2	0	2
Mississippi	1	2	0	3	3
New Jersey	1	0	1	0	1
New York	2	1	2	1	3
Ohio	1	0	1	0	1
Pennsylvania	1	0	1	0	1
Rhode Island	2	0	1	1	2
South Carolina	1	0	1	0	1
Virginia	1	1	1	1	2
Washington	1	0	1	0	1
TOTALS	31	27	27	31	58

acted in Maryland (20-3) that generally revises the governance structure of postsecondary education in that state. Also of note is legislation proposed in Connecticut (7-9, 7-10) and Massachusetts (21-8) that would likewise attempt substantial reorganization of the state level postsecondary governance structure.

In all, 36 pieces of legislation—12 enacted, 24 proposed—were reported in the subject category of governance structure. Ten—4 enacted, 6 proposed—were local in their impact; 26—8 enacted, 18 proposed—had an effect on the state level. Fifteen states reported legislative activity in this category.

Process of Policy Formation

Legislation in this subject category deals with the *process* of governance or, as we have called it, the process of policy formation. Typically, legislation of this type has an impact on who is involved in decision-making processes and in what way. On the local level this would include legislation that modifies the manner or process in which various local constituencies are involved in governing an

institution. Proposed legislation in Illinois (13-10) is particularly noteworthy in this regard. H.B. 3677 would permit the organization of contractual community college districts—districts without a physical campus—with the power to tax for educational purposes and to acquire educational services through contractual agreements with existing public and private educational facilities.

On the state level, this category would include legislation already mentioned above in Connecticut (7-9, 7-10), Massachusetts (21-8), and Maryland (20-3) that reorganizes the structure of statewide governance and also redefines the processes involved. An example of a legislative proposal less radical in scope, but one nevertheless dealing with the process of how policy is formulated on the state level, is a law proposed in South Carolina (40-4) that would require the publication of rules and regulations of state agencies, boards, commissions, or departments before they become effective and provide for hearings on the rules and regulations.

Thirty-one pieces of legislation—14 enacted and 17 proposed—were reported in this category. Fourteen—8 enacted, 6 proposed—were local in their impact; 17—6 enacted, 11 proposed—had an effect on the state level. Fourteen states reported legislative activity in the category.

Administrative Operations

Legislation in this category also deals with the process of decision making, but it differs from legislation in the subject category just described above in that here the legislation concerns issues and actions that are managerial in nature. That is, in this section, legislation is reported that affects decision making involving primarily administrative and procedural matters. This is in marked contrast to legislation reported in the previous subject category that focused on substantive policy issues and decision making.

Legislation in the administrative operations category affects primarily the operational routine of postsecondary education, including such items as trespassing (3-9) and littering (39-3) on public property, insurance for college facilities (3-3), freedom of information regulations (24-10, 32-6, 39-6, 46-2), per diem and travel regulations (9-7), provisions for campus security (46-6), purchasing regulations (24-5), and so on.

Forty-five pieces of legislation—26 enacted, 19 proposed—were reported in this category, including 10 in Florida and 9 in California. This makes "administrative operations" second only to the subject category of "financial procedures" in terms of the quantity of legislation reported in each of the 24 categories listed in Tables 3 and 4. Of the 45 pieces of legislation in this category, most (35) were local in their impact. Sixteen states reported legislative activity in this category.

Coordination

Legislation in this category deals with the relationships between various boards and operating units in the postsecondary community. With a strong

concern for more effective and efficient use of available resources, coordinating efforts have become a top priority in many states.

Twelve states reported legislative activity in 1976 relative to the coordination of postsecondary resources. In all, 23 pieces of legislation—9 enacted, 14 proposed—were reported in this category, with 9—5 enacted, 4 proposed—being local in their emphasis and 14—4 enacted, 10 proposed—affecting statewide coordinating efforts.

On the local level, legislation in this category includes laws such as were enacted in California (5-2, 5-4) and proposed in Connecticut (7-14), Florida (9-29), and Illinois (13-10). The thrust of the legislation is to permit and even encourage specific local institutions to share their combined resources. For example, one of the laws passed in California allows community college districts to enter into contracts with the governing board of any other district for the exchange of certified personnel. Similarly, the legislation proposed in Connecticut would permit contracts between public colleges—including community colleges and technical colleges—and licensed postsecondary proprietary schools, as well as independent colleges, for use of programs, facilities, and services. The legislation proposed in Florida would require community colleges and district school boards to reach agreements for respective responsibility in providing adult education services.

On the state level, legislation in this category is intended to affect statewide coordinating efforts, as well as efforts for coordination between states. Four states—Massachusetts (21-7), Mississippi (24-19), Kentucky (17-6), and Arizona (3-11)—reported legislation relative to postsecondary education "1202 Commissions." Three states—California (5-33), Michigan (22-2), and New Jersey (30-7)—reported developments relative to interstate cooperation. Legislation enacted in California withdraws that state's participation in the Western Regional Education Compact. The Michigan legislation provides for an interstate agreement on the qualifications of educational personnel. The legislation proposed in New Jersey would permit the Board of Higher Education to enter into contracts with out-of-state schools of optometry for the acceptance of state students.

Finally, movement toward the regionalization of postsecondary resources was reported in California (5-39) and Connecticut (7-12, 7-13). Legislation vetoed by the governor in California would have established regional career guidance resource centers. Two legislative proposals in Connecticut that would have established higher education regional centers in the Hartford and New Haven areas would result in further movement on an already established regionalization plan.

Studies and Surveys

Ten pieces of legislation—5 enacted, 5 proposed—were reported calling for studies and surveys of postsecondary education in the states. In all, 6 states reported activity in this area.

Laws enacted in Washington (47-6) and those proposed in Idaho (12-2) and Mississippi (24-20) call for comprehensive studies of the community college systems in those states. Other legislation reported calls for studies more topical in scope. For example, legislation enacted in Washington (47-7) calls for a study of academic transfer policies. Laws passed in California call for the study of policies relating to part-time students (5-22) and handicapped students (5-35).

Enabling Legislation

Three states reported the enactment of enabling legislation—or amendments to such legislation. Those states are: Illinois, Pennsylvania, and South Carolina. The legislation in Pennsylvania (38-4) relates specifically to state reimbursement for certain types of community college students. The law passed in South Carolina (40-1) is comprehensive in scope and touches on virtually every aspect of technical education in that state. The legislation in Illinois (13-2) defines contiguity for the purposes of annexation.

Area 3: Physical Facilities

Only six pieces of legislation were reported in the general area of physical facilities. This was the smallest number reported for any of the seven major areas listed in Tables 3 and 4. These deal with construction standards (5-24), fire prevention standards (9-12), and the like. Two pieces of legislation were reported dealing specifically with energy systems. A bill vetoed by the governor in California (5-37) would have required any governmental agency, including a community college, to calculate fully the costs of at least two energy systems before beginning construction of new facilities requiring a system for heating and/or cooling. Legislation enacted in Florida (9-3) directs the Department of Education to develop a plan to use solar energy in public education facilities. Particularly noteworthy is legislation proposed in Florida (9-26) that would require all publicly financed buildings generally open to the public, including public postsecondary facilities, to have at least one entrance and one restroom meeting the special requirements of the handicapped.

Area 4: Institutional Growth

Eight states reported 16 pieces of legislation—7 enacted, 9 proposed—in the general area of institutional growth. Surprisingly, Mississippi accounts for 7 of these. The area of institutional growth includes four subject categories: (1) new institutions, (2) institutional expansion, (3) name changes, and (4) restrictions on growth.

New Institutions

Five pieces of legislation could be classified as establishing or having the intent of establishing new institutions or branches of existing institutions. Three such bills were reported by Mississippi, one of which became law. Two similar bills were reported by Arizona, one of which was enacted.

Two laws were passed in Mississippi (24-3, 24-4) that authorize one county and one city within that county to issue bonds for the purpose of purchasing real property and constructing and equipping buildings for a branch of any state university or junior college now established in Mississippi. Also in Mississippi (24-9), legislation was proposed to create a 4-year university at Long Beach.

In Arizona, legislation (3-4) was passed that provides $500,000 for payment of the state's share of capital outlay for construction of an additional campus for the Pinal Community College district. Also in Arizona, similar legislation (3-10) was proposed that would have provided a $500,000 capital outlay appropriation for a Pima College Downtown Campus.

Institutional Expansion

Three other pieces of legislation were reported that imply institutional growth other than the establishment of new colleges. One is the new finance legislation passed in California (5-30) to remove the enrollment cap in that state. Another is legislation enacted in Washington (47-2) to amend the contract enrollment concept passed in 1975.

Finally, of particular note, is legislation proposed in Illinois (13-10), previously mentioned in this report. This legislation would allow for institutional expansion vis-à-vis contractual community college districts. Such districts would have their own tax base for educational purposes and would be authorized to acquire educational services through contractual agreements. They would not, however, be allowed to build a physical plant without first going back to the voters with a referendum for that purpose.

Name Changes

Institutional name changing also often suggests institutional expansion and, thus, is included within the general area of institutional growth. Only two pieces of legislation—both proposals in Mississippi (24-11, 24-13)—could be classified in this category. Both would have renamed "junior" colleges as "community" colleges. Although it was not possible to determine to what extent—if at all—these proposals would have redesigned those institutions with respect to function, the proposed name changes would serve to recognize the broader scope of programs that the Mississippi two-year colleges have been developing in recent years, a movement in scope of program less typical of "junior colleges" and more like the comprehensive community colleges in other states.

Restrictions on Growth

Six pieces of legislation were reported in this category. It is noteworthy that of the 16 pieces of legislation classified in the general area of institutional growth, the largest number of legislative items were reported in the subject category "restrictions on growth." Included in this category is the legislation enacted in Florida (9-8) which extends enrollment caps for 1976-77. Also included is a law proposed in Mississippi to put a moratorium on schools of nursing.

Area 5: Personnel

This area of legislative activity includes a total of 43 pieces of legislation–24 enacted, 19 proposed–reported in 13 different states. Florida reported 13 pieces of legislation in this area. No other state reported more than 5, with both California and Iowa reporting that number.

The area of personnel includes four subject categories: (1) employee benefits, (2) employee rights, (3) collective bargaining, and (4) faculty workload.

Employee Benefits

Twenty-three pieces of legislation were reported in this category. Fourteen of these–8 enacted and 6 proposed–deal with state retirement plans and, in all cases, either provide for increases in benefits or an extension of retirement plans to include additional groups of employees. Other legislation included in this category affects travel reimbursement for trustees (47-1), group insurance (9-19), per diem rates for public employees (9-16), civil liability immunity (20-6), and unemployment compensation (9-21).

Employee Rights

Thirteen pieces of legislation–8 enacted, 5 proposed–were reported in this category. Four of these (15-6, 15-8, 16-9, 20-5) deal with the right to due process for college employees. Two deal with tenure policies (21-2, 42-5). Two others deal with discriminatory employment practices on the basis of sex (5-52, 9-20). Another law, passed in Florida (9-10), prohibits discrimination due to age and further prohibits mandatory retirement due to age.

Collective Bargaining

Only 6 pieces of legislation relative to collective bargaining were reported in 1976 state legislative sessions. Such activity was reported in 5 states–including legislative proposals in two states (Arizona and Maryland) that currently have no collective bargaining legislation covering higher education personnel. In Arizona, legislation was proposed but defeated on the senate floor that would have allowed professional school employees, including community college staff, to organize and negotiate with employers. In Maryland, a resolution was passed creating a legislative task force to consider whether collective bargaining rights should be extended to the public sector. The task force is to prepare workable legislation on the matter for submission to the 1977 General Assembly, if it determines that such rights should be granted.

Legislation was also enacted in Florida (9-17) and proposed in Kansas (16-8) to amend existing collective bargaining legislation. The law passed in Florida includes administrative personnel in the definition of managerial employee for purposes of collective bargaining.

Faculty Workload

Only one piece of legislation was reported concerning faculty workloads. That law, mentioned earlier in this report, proposes to repeal the requirement in Florida that community college personnel record 15 classroom hours per week and university personnel 12 classroom hours per week. The law proposes, instead, to require the Board of Regents and community college trustees to adopt procedures to establish minimum and maximum classroom teaching hours for each institution.

Area 6: Students

A total of 67 pieces of legislation was reported concerning students, with activity reported in 20 different states. California reported 21 pieces of legislation—17 enacted and 4 proposed—in this area. Florida reported the next highest level of activity with 3 enactments and 4 proposals.

Student legislation includes three subject categories: (1) rights and responsibilities; (2) tuition and fees; and (3) student aid.

Rights and Responsibilities

Twenty-eight pieces of legislation were reported in this subject category. Included in this category are 4 pieces of legislation that deal with student rights vis-à-vis their participation in the governance of postsecondary education on the local and state levels. Additionally, four laws (5-26, 9-40, 16-1, 46-8) were reported relating to student records—guaranteeing the confidentiality of those records, as well as student access to them.

Finally, the rights of certain types or classes of students were generally recognized in several pieces of legislation—the handicapped (5-30, 5-35, 5-36, 39-10), inmates and parolees (5-18, 5-44, 9-9), Native Americans (5-25), part-time students (5-22), and veterans (32-3).

Tuition and Fees

Twenty pieces of legislation were reported in this subject category. Included here is legislation that affects the amounts of tuition to be charged by institutions (7-1, 9-1, 16-7, 38-4), the kinds of fees institutions are allowed to charge (5-3, 5-12, 5-42, 33-3), and the procedures followed in collecting these different monies (5-15, 5-19).

Also included in this category is legislation that grants or would grant tuition and/or fee waivers to special types of students—to senior citizens (17-8, 21-6, 46-3), dependents of veterans killed in Vietnam (16-2), and the handicapped (42-3). Of special note is legislation enacted in California (5-20) which provides that all nonresidents who enroll for six units or fewer may be exempted from all or part of the nonresident tuition fee.

Student Aid

Nineteen pieces of legislation were reported in this category. Included in this category is legislation that creates new aid programs in the states, as well as that which extends existing programs by either increasing the size of the grants or the number of grants awarded or both.

New programs for student aid were reported in Tennessee (42-2) and Michigan (22-1). The legislation passed in Tennessee establishes a Tennessee Tuition Grant Program. In Michigan, a Legislative Merit Award Program was created whereby 1,000 scholarships of $1,000 each will be awarded to high school students on the basis of academic achievement irrespective of financial need. The goal of this program is to supplement existing programs whose critics claim do not recognize the hard-working students from middle-income families.

Legislation passed in California (5-7) increases to 6,825 from 4,550 the number of California grants awarded yearly and raises the maximum award from $3400 to $3600. Similarly, legislation enacted in Ohio (35-1) increases the Ohio Instructional Grant Program so that more students can be accommodated at a slightly higher rate. And, in Kansas (16-10), legislation was proposed that would extend the state scholarship program to proprietary schools.

Finally, legislation deserving a special mention in this category is a law passed in Kentucky (17-9) that amends legislation relative to the state's Higher Education Assistance Program so that state aid is restricted to full-time students. Previously, students registered in Kentucky institutions at half time or more were eligible.

Area 7: Academic Programs

A total of 28 pieces of legislation—13 enacted and 15 proposed—were reported in the area of academic programs. Twelve states reported activity in this area. California reported 11 pieces of legislation—5 enacted, 6 proposed. Florida reported the next highest level of activity with one enactment and two proposals.

The area of academic programs includes two subject categories of (1) curriculum and (2) accreditation and certification.

Curriculum

The legislation affecting curriculum was classified into three subcategories that are distributed as follows:

	Legislation Enacted	Legislation Proposed	Totals
Expansion of Programs	8	7	15
Restriction of Programs	1	3	4
Program Review and/or Approval	2	1	3

As the preceding table indicates, legislation resulting in an expansion of institutional curricular offerings were the most numerous. Included here is legislation enacted in Tennessee (42-4) and California (5-9) and proposed in New Jersey (30-8) to expand programs in cooperative education. Other examples include legislation enacted in Kentucky (17-5) to stimulate the inauguration and continuance of courses in geriatrics and gerontology in universities and community colleges and another law (17-3) to permit community colleges to offer courses in driver education. Legislation was proposed in California to expand programs for handicapped students (5-53) and for inmates and parolees (5-44).

Only four pieces of legislation—one enacted and three proposed—could be classified clearly as being restrictive in nature, that is, having the intent of legislating academic requirements in specific courses or programs. The only legislation actually enacted in this category was a law passed in California (5-10) that specifies standards for the associate of science degree in bilingual-bicultural teacher assisting.

Three pieces of legislation were reported that deal with program review and/or approval. The concern here is with eliminating program duplication and waste. Most noteworthy in this regard is legislation enacted in Iowa (15-9), previously mentioned in this report, that authorizes the State Board of Public Instruction in that state to review programs and approve or disapprove requests of community colleges to expand their programs. Similar, but on a smaller scale, is legislation proposed in Rhode Island (39-4) that would establish a legislative commission to study duplications in the business course offerings of the University of Rhode Island, Rhode Island College, and Rhode Island Junior College.

Accreditation and Certification

Four states reported six pieces of legislation dealing with accreditation and certification in postsecondary education. Two laws were passed dealing with accreditation specifically of institutions in the private sector. Florida passed a law (9-14) authorizing the State Board of Education to adopt minimum education standards for nonpublic colleges licensed by the State Board of Independent Colleges and Universities. In Puerto Rico, legislation was enacted to regulate the operation of private schools. On the postsecondary level, the Council of Higher Education was given authority to dictate rules and regulations for the issuance and cancellation of licenses. Also of note is legislation proposed in California (5-46) to establish the California Commission on Accreditation that would have the responsibility of accrediting educational institutions at the secondary level and above in that state.

SECTION IV

LEGISLATION ABOUT COMMUNITY-BASED, PERFORMANCE-ORIENTED EDUCATION IN THE STATES

In cooperation with the Center for Community Education, the American Association of Community and Junior Colleges, a special substudy within the 1976 State Legislation Study was conducted of "community-based, performance-oriented" educational programs in the states and of the legal status of such programs. For the purposes of this study, community-based, performance-oriented education was defined as any educational program that emphasizes two essential elements: (1) integration of school, college, and community resources in the educational process, and (2) primary attention to the performance competency of persons who complete the programs offered.

The genesis of AACJC's interest in community-based, performance-oriented education lies in the efforts extended in recent years by the association's President, Edmund J. Gleazer, Jr., to sensitize its membership to a need for a renewed emphasis on community integration with community college operations. First broached in an article entitled "Beyond the Open Door, the Open College," (1974) the concept of a new movement toward community involvement, as well as community services, in postsecondary education has attracted attention of community colleges throughout the nation.

Recently, the Board of Directors of the American Association of Community and Junior Colleges set as a mission of the association: "To provide national leadership to community-based, performance-oriented postsecondary education."[6] In this mission statement, AACJC highlighted the "community" in community and junior colleges, emphasizing that these institutions serve their communities, providing programs and services that are "performance-oriented" and effectively responsive to local needs. Given this commitment by AACJC, the special substudy undertaken in cooperation with that association and reported on here seems particularly timely.

As was indicated in Table 1 of Section I of this report, 27 state directors did respond to the request for information on "community-based, performance-oriented" education. Table 6 makes clear in more precise terms the specifics of those responses.

Twenty state directors reported that "Yes, there is some activity in their state that would fall under the general rubric of community-based, performance-oriented education as defined in the survey instrument." Of the 27 state directors reporting, 11 reported no legal base at all that they are aware of, 8 reported that

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[6] As reported in a position paper draft (June 1, 1976) by the AACJC Commission on Governmental Affairs entitled "Local Decision Making and Community-Based Postsecondary Education: Some Recommendations for Action" and presented for discussion purposes at the 1976 summer workshop of the National Council of State Directors of Community and Junior Colleges (Philadelphia, July 7-9, 1976).

the authorization in existing basic community college legislation provides or would provide sufficient legal support for the development of such programs, and 8 reported that specific laws or proposed bills in their state more precisely define the legal status of a community-based, performance-oriented educational approach.

TABLE 7

COMMUNITY-BASED, PERFORMANCE-ORIENTED EDUCATION IN 27 STATES

	Activity Reported		Legislative Status		
State	Yes	No	A	B	C
Alabama		x	x		
Alaska	x				x
Arizona		x	x		
Arkansas	x			x	
California	x				x
Colorado	x			x	
Delaware	x			x	
Florida	x				x
Georgia		x		x	
Hawaii	x				x
Idaho	x		x		
Illinois	x		x		
Kansas		x	x		
Maine		x	x		
Michigan	x				x
Minnesota	x				x
Mississippi	x		x		
Missouri	x		x		
New Jersey		x	x		
New York	x		x		
Oklahoma	x		x		
Oregon	x			x	
Pennsylvania	x			x	
Rhode Island		x		x	
South Carolina	x				x
Washington	x				x
Wisconsin	x			x	
TOTALS	20	7	11	8	8

KEY: A: None indicated
B: Authorization in basic community college legislation provides or would provide sufficient legal support
C: Specific legislation on "community-based, performance-oriented" education

Some substantial developments in community-based, performance-oriented education were reported in states with no legislative support other than that which might exist in the basic community college legislation. Arkansas, for example, reported significant progress in community service courses as mandated in the community college legislation. In Colorado, community colleges were reported as being involved in community-based education vis-a-vis both vocational and co-operative education programs, in which the resources within the community are used as training stations for students. Also, performance-oriented education is being offered by some community colleges in that state. The Community College of Denver, for example, offers credit for certain licenses that are held by applicants. The competency of the individual is determined by the federal government in the awarding of the licenses, and the college validates the license with credit and possibly an associate degree after 15 hours of additional resident instruction.

In Delaware, the Delaware Technical and Community College has developed, with federal funding, a performance-oriented instructional model. Additionally, they are currently offering in-service programs collegewide to strengthen staff capabilities in performance-oriented instruction. The latter project has also received federal assistance under Title III of the Higher Education Amendments, Developing Institutions. Oklahoma reported that several of its two-year colleges are very much involved in community-based and performance-oriented educational programs. Specifically, South Oklahoma City Junior College, Oklahoma State University Technical Institute, and Oscar Rose Junior College have all developed programs using this approach.

Basic community college legislation in Oregon defines the policy of the community colleges as community-based. Additionally, legislation exists in Oregon that allows for "extended educational experiences"—programs that include but are not limited to work experience programs conducted on a contractual basis with individual employers. The following states also indicated some activity in community-based, performance-oriented programs: Idaho, Mississippi, Missouri, New York, Pennsylvania, and Wisconsin.

It should be emphasized again that in these states there is no *specific* legislative support for community-based, performance-oriented education other than what is provided in the basic legislation; and, in a few of the states, there is no legislative support at all. Of the 20 states reporting activity in community-based, performance-oriented education, the programs in 12 of these states can be categorized in this way, that is, as having support via the basic legislation or having none at all (see Table 6).

However, 8 states—Alaska, California, Florida, Hawaii, Michigan, Minnesota, South Carolina, Washington—did report the existence of specific laws or proposed bills which more precisely define the legal status of community-based, performance-oriented programs. The situations in these states are reported below by state.

ALASKA

Indicative of the general movement towards a community-based educational philosophy are recent developments in Alaska. The so-called Alaska Community School Act of 1975 provides funding for "community school programs"—i.e., programs that provide educational, cultural, social, and recreational services to the citizenry of a community other than those services normally provided through the regular instructional program. Although the legislation is applicable only to elementary and secondary programs, community school programs do have a good deal in common philosophically with community-based, performance-oriented *postsecondary* programs; and, for that reason, the development is noted here.

CALIFORNIA

The California Education Code appears to provide ample support for community-based, performance-oriented postsecondary programs. Section 11251, for example, through its attendance accounting provisions for approved Coordinated Instruction Systems, has enabled outreach programs to become implemented and has provided opportunities for instruction to part-time students, home-bound working people, and other community-based clientele. Sections 6321 through 6324 make community service programs available without state apportionment at the discretion of the local governing boards. Also, under newly created authorization in the Education Code (Sections 12601, 12603, 12605, and 25503), California has established a testing program that provides legal equivalency to a high school diploma. Students who pass the competency-based examination receive a "Certificate of Proficiency" and, by law, must be admitted to a community college in the state.

In addition to provisions in the Education Code, recent legislation (Assembly Bill 4323) was introduced in support of community-based, performance-oriented educational programs. This bill would have authorized the use of state funds to finance three pilot "Educational Service Centers." Although it eventually failed passage in committee, this legislation is indicative of a trend and educational philosophy that appears to be rather firmly established in the California postsecondary community.

Indeed, California is in many respects a pacesetter in this movement. A community-based postsecondary education bill recently prepared by the Federal Affairs Committee of the Chancellor's Office, California Community Colleges, was incorporated into the official version of the federal Higher Education Act of 1976 as Section IC.

FLORIDA

In 1970 the Florida Legislature enacted laws requiring each community college to provide placement services and maintain follow-up studies. The thrust of this legislation was to provide a mechanism for the continuous evaluation of the effectiveness of the educational programs of community colleges as reflected

in the extent to which students developed *competencies* enabling them to successfully enter into activities for which the colleges provided preparation. More recently, Florida's State Board of Education has developed regulations for "noncredit citizenship instruction." Courses within this program are funded with state monies if: (1) they can be justified for the expected contribution they will make to the identification and solution of community problems, and (2) citizens involved in such courses develop *competencies* that they will need in order to cope with and help solve community problems.

HAWAII

Act 131, which was signed into law in May of 1975, authorizes a special fund for community colleges so that they can increase their ability to take their programs off campus. Presently, because of a controlled growth policy and the limitation of general funds, the regular community college programs are limited in their ability to go off campus. The fund authorized by Act 131 will permit the colleges to perform community service functions that have heretofore been lacking. Although the law is in effect, the community colleges have not yet established procedures to implement the program.

MICHIGAN

The Community School Program in Michigan is well known throughout the public education community. Dating back to the 1930s and supported steadily by the Mott Foundation, as well as by state funds, the Michigan program continues to be a model for other states.

A resurgence of interest and activity in the concept is evident in Michigan. For example, several bills currently before the legislature deal with community education, although no new bill has yet been enacted. Also, the Department of Education is conducting studies of performance-oriented educational programs. To date, these studies have not been presented to the State Board of Education for their approval and recommendation to the legislature.

MINNESOTA

In Minnesota the statutes since 1963 have included "adult education" among the functions of community colleges. Officials of this state reported that they have interpreted this term broadly to mean a wide range of noncredit courses and certain self-supporting community services.

Public school districts in Minnesota also consider adult education their responsibility. Legislation in 1973 provided them with a state subsidy for the employment of a community education director and certain other costs.

As for performance-oriented educational programs, several years ago the Minnesota legislature authorized and funded the creation of a new institution in the state university system for the purpose of offering performance-oriented education at the upper levels.

SOUTH CAROLINA

A "Community Education Act," passed by the House last year, is presently before the Senate in South Carolina. The original House bill calls for the implementation of a "community education program" whereby public elementary and secondary school facilities would be utilized for community centers, the purpose of which would be to provide educational, recreational, cultural, social, health, and other services for people of all ages in the community. A proposed compromise version of the bill allows for a somewhat broader interpretation in that it simply states that "public facilities" will be utilized as community centers. Thus, participation in this program by community colleges remains a possibility.

In addition, a training consortium working to develop a performance-oriented "Community-and-Occupational-Programs-in-Education" degree program has been initiated. The purpose of this consortium is eventually to develop a program in which individuals can be trained to provide expertise—competencies, if you will—in the planning and coordination of the community education programs as called for in the Community Education Act.

WASHINGTON

State officials in Washington reported some significant planning for community education in the state. The concept of community services was originally identified as one of the building blocks of community college education in the Community College Act of 1967 and also in the 1971-77 Six-Year Plan. More recently, the Advisory Council on Community College Planning has drafted a position paper on community education that will soon be presented to the State Board with the recommendation that they adopt it as the current position of community colleges on community education.

Community education was legally recognized as a viable educational concept for Washington in 1973 with the passage of House Bill 359. Specifically, that legislation authorized community school programs of an instructional, recreational, and/or service nature on a noncredit and nontuition basis.

Conclusion

The data indicate considerable activity in the states in the area of community-based, performance-oriented education. Twenty of the 27 respondents reported such activity. However, it does seem an accurate conclusion that these programs are not a top priority in most of the states—at least in terms of the legislative support they are receiving. Only 8 respondents reported specific supporting legislation other than the basic community college legislation.

One conclusion from the data is that the concept of community-based, performance-oriented education suffers from a lack of clarity in its definition—or at least in its clarity to many education officials in the states. Many respondents expressed an uneasiness in replying to the survey in that they were uncertain what to include as community-based, performance-oriented education. Furthermore, a few respondents pointed out that "community-based" and "performance-oriented"

programs and supporting legislation may or may not be related. Thus, they objected to the two terms being used together to imply one concept, one philosophy.

Finally, it is noted that the "community school" movement on the elementary and secondary level, as reported by respondents from Alaska, Michigan, South Carolina, and Washington, shares a common educational philosophy with postsecondary community-based, performance-oriented programs. An item for future research efforts might be to determine whether legislation supporting community schools/community education, though not designed for community colleges, allows for their participation—or prohibits it. As examples of current vagueness—the legislation reported for South Carolina does *seem* to allow for community college participation; that in Alaska prohibits it.

SECTION V

SUMMARY AND CONCLUSIONS

The scope of 1976 state legislative activity pertaining to postsecondary education was presented in Section III of this report by seven major areas subdivided into 24 subject categories. Table 7 summarizes *by major areas* the legislation reported there. Table 8 summarizes that same legislation by the various *subject categories* used in the analysis. Together, these two tables afford the reader with a concise view of the main areas of interest of state legislators in 1976 relative to postsecondary education in the states.

At the 1976 summer workshop of the National Council of State Directors of Community/Junior Colleges, the Issues, Trends, and Projects Committee of the council identified four major issues requiring the attention of the council membership. Those issues were: (1) funding, (2) the "open door" policy, (3) community education, and (4) governance. Inasmuch as this report has shown considerable legislative attention to all four of these issues, the data reported on here would seem to corroborate the analysis of the Issues, Trends, and Projects Committee.

The data in Section II showed clearly that the state directors considered the level of *funding* of community/junior colleges to be a major legislative priority in the states in 1976. And Section III showed further that this issue was, in fact, a priority with legislators as well. As Table 8 indicates, 27 considered legislation in 1976 relating to finance—the largest number of states to consider legislation in any one of the seven major areas.

TABLE 8
REVIEW OF LEGISLATION BY SEVEN MAJOR AREAS

Major Areas	Legislation Enacted	Legislation Proposed	Totals	
			Legislation	States
Finance	76	19	95	27
Administration	69	79	148	23
Physical Facilities	4	2	6	3
Institutional Growth	7	9	16	8
Personnel	24	19	43	13
Students	44	23	67	20
Academic Programs	13	15	28	12
TOTALS	237	166	403	

TABLE 9
REVIEW OF LEGISLATION BY 24 SUBJECT CATEGORIES

Subject Categories	Legislation Enacted	Legislation Proposed	Totals	
			Legislation	States
Appropriations for Operations	28	3	31	22
Capital Funds	14	4	18	10
Financial Procedures	34	12	46	16
Governance Structure	12	24	36	15
Process of Policy Formation	14	17	31	14
Administrative Operations	26	19	45	16
Coordination	9	14	23	12
Studies and Surveys	5	5	10	6
Enabling Legislation	3	0	3	3
Building Codes	3	2	5	2
Land Acquisition and Transfer	1	0	1	1
New Institutions	3	2	5	2
Institutional Expansion	2	1	3	3
Name Changes	0	2	2	1
Restrictions on Growth	2	4	6	4
Employee Benefits	13	10	23	9
Employee Rights	8	5	13	8
Collective Bargaining	3	3	6	5
Faculty Workload	0	1	1	1
Student Rights and Responsibilities	19	9	28	13
Tuition and Fees	15	5	20	11
Student Aid	10	9	19	12
Curriculum	11	11	22	11
Accreditation and Certification	2	4	6	4
TOTALS	237	166	403	

Very much related to the issue of finance and level of support for community/junior colleges is the issue of the *"open door" policy*. More specifically, the issue seems to be whether the open door can remain a viable policy given the stark economic realities of the 1970s and beyond. In Section II, a number of state directors reported limitations on enrollments due to inadequate funding. This is true even when, as seen in Section III, percentage increases in appropriated funds were greater than increases in FTE enrollments in 13 states, whereas the opposite was true in 6 states. Descriptions of the growing difficulty in getting favorable action in appropriation came from several states, however, as in Illinois

where restorations of earlier cuts came late in the legislative session, this may portend a shift toward decreases in appropriations in the years ahead. Also, the legislation reported in Section III showed little activity in institutional growth; in fact, some movement toward outright restrictions on growth was noticeable. These developments do not bode well for the future of an open door policy in American postsecondary education.

As reported earlier, it is as yet premature to make any hard and fast conclusions about the imminent demise of the open door policy in the various states. The data reported here do not yet justify such a conclusion. However, the data do seem to indicate a developing trend that is not at all favorable to the open door policy. This issue bears closer watching in future surveys of this kind.

Concerning *community education*, the data reported in Section IV do indicate considerable activity in the states in this area. However, as was reported there, legislative support for community-based, performance-oriented educational programs is minimal. Also, the respondents' definitional problems with the term "community-based, performance-oriented" education would seem to support a reevaluation of the definition and/or use of the term.

Concerning *governance*, several state directors' reports in Section II indicated major legislative efforts to reorganize the governance structure of postsecondary education in their states. This concern with governance and administration issues was also evident in Section III, where the general area of administration was found to have by far the highest level of legislative activity in 1976—148 pieces of legislation were considered in 23 states.

In short, it seems accurate to say that state legislators are very much interested in how postsecondary institutions are governed and in how these institutions might be better governed. It can be suggested that the increasingly active role played by the federally initiated "1202 Commissions" in the states, relative to governance, coordination, and planning of postsecondary education, is likewise serving to stimulate legislative interest on these issues. Since the enactment of the Higher Education Amendments of 1972, virtually all of the states have acted to establish these comprehensive planning agencies.

The reader will recall that, for four of the subject categories in the area of administration, an analysis was conducted to determine the level of impact of the legislation in those categories: was the impact on the state level, or did the legislation have an impact on the local, institutional level? A distribution of the legislation in these four subject categories *by level of impact* follows:

	Local	State	Totals
Governance Structure	10	26	36
Process of Policy Formation	14	17	31
Administrative Operations	35	10	45
Coordination	9	14	23

These data seem to indicate that when legislators address major governance and policy issues, as well as matters of coordination, they attempt to have an impact statewide. However, legislators apparently also have a keen interest in administrative and managerial matters that occur at the institutional level.

Conclusions

Steady State in 1976

When Martorana et al. last conducted a review of state legislation affecting higher education in 1963, they found personnel and institutional growth to be the two areas showing the greatest legislative activity. The authors argued that the very high interest exhibited by the legislatures in matters related to personnel was most probably a product of a growing realization of what was then a rather serious shortage of qualified personnel to staff the nation's higher educational institutions. They argued, similarly, that the high legislative interest in the growth and expansion of institutions of higher education was a reflection of a growing demand for higher education services.

The situation in the early 1960s, as reported over a decade ago in legislative reports by Martorana et al., markedly contrasts to the present condition of American postsecondary education as evidenced in the analysis of 1976 legislation affecting these institutions. The data reported in Sections II and III of this report showed a relatively low level of legislative attention to personnel matters and even less interest in institutional growth.

Institutional growth and expansion is no longer a priority in state legislatures; and, no doubt, rightfully so. The possibility of increasing services and expanding faculties seems remote for most states, as many are finding it difficult even to meet their commitment to existing services.

Similarly, now that institutions are no longer faced with a shortage of qualified personnel to staff their programs, legislative attention to personnel matters has diminished substantially. Furthermore, those legislative actions in 1976 that do deal with personnel are not concerned with increasing the manpower pool as was the case 10 years ago; they are concerned primarily with matters related to job security and more traditional interests largely unaffected by supply and demand, such as retirement benefits. Given this situation, one might also expect increased collective bargaining activities in postsecondary education, as well as increased legislative attention to this issue; and, in general, this has been the case during the 1970s. However, such was *not* the case in 1976, when only six pieces of legislation were reported relating to collective bargaining. One hypothesis for this inactivity is that legislators were unwilling to commit themselves, in an election year, on an issue that is at best controversial (*Chronicle*, March 22, 1976).

Certainly what is being reported here is not "news" to those who have worked within postsecondary education the past few years. The conclusions of this study do serve to confirm, however, the reality of what has been frequently discussed in the literature as the "steady state" or "no growth" condition of

American postsecondary education in the 1970s (Cheit 1971, 1973; Leslie and Miller 1974; Mayhew 1974). Despite the fact that community colleges have continued a growing enrollment pattern in recent years larger than the rest of postsecondary education, state officials continue to cast them in the "steady state" image characteristic of postsecondary education generally.

Response to Steady State? Effective and Efficient Use of Resources

If this study has a single message, it is that postsecondary education in many states experienced some rather substantial financial problems in 1976. This theme has emerged repeatedly throughout the study. The important question, then, would seem to be this. How are the states responding to these financially difficult times? What are the states or, more specifically, the state legislatures doing to cope with economic realities?

The answer, in general terms, is that postsecondary education in most states is being called upon to make more effective *and* efficient use of existing resources. This is the legislative intent behind most of the enactments and proposals to reorganize the governance structure and process of postsecondary education in the states. Much of the legislation classified in the "administrative operations" and "financial procedures" categories has a similar intent.

Also, the legislative actions classified in the "coordination" category—9 enactments and 12 proposals in all—are in the general direction of improved effectiveness and efficiency for postsecondary education. Perhaps this is not as much legislative attention as one might expect in this area, given the severity of the economic troubles in many states. Nevertheless, some rather novel legislative proposals were reported in this category.

Accountability versus Autonomy

Do the efforts toward statewide coordination and planning inevitably threaten the autonomy of individual institutions? More specifically, what is the posture of *state legislatures* vis-à-vis institutional autonomy in their efforts to effectively and efficiently coordinate postsecondary resources in the states?

In this study, a relatively specific index was developed in an effort to answer this question. The reader will recall that, for legislation judged to be local in its impact in each of four subject categories of *governance structure, policy formation, administrative operations*, and *coordination*, an attempt was made to interpret the intent of that legislation relative to the autonomy of postsecondary institutions. This was accomplished in two ways. First, each piece of legislation was evaluated for the degree of control implied in the *language* of the legislation. Specifically, each was rated as either mandatory or permissive. Second, the *content* of each piece of legislation was evaluated for its effect on institutional autonomy; that is, each piece of legislation was judged to be either erosive or supportive.

The analysis showed more than half (53 percent) of the legislation evaluated to be "mandatory" in its language; slightly less than half (47 percent), to be "erosive." At the least, these figures are unsettling to proponents of local autonomy and control of community colleges, because they show state legislatures to be about as equally disposed to taking actions that will encroach upon institutional autonomy as they are to following a policy that would maintain the more traditional notions of autonomy.

Legislative Intent Relative to Academic Policy

Academic policies within postsecondary education have traditionally been the sole responsibility of the institutions themselves. In recent years some evidence has appeared of encroachment of the state even into this area of college operations. This practice seems to have decreased in 1976.

Although the data reported above do indicate considerable encroachment on institutional autonomy in general administrative areas by 1976 state legislatures, such was *not* the case where academic policies were concerned. Of the 22 pieces of legislation in the "curriculum" subject category, only 1 enactment could be clearly classified as restrictive in nature. Also, only 1 piece of legislation was reported in 1976 dealing with faculty workloads—a Florida bill that proposed to return the control for such matters to the institutional level. In short, members of the state legislatures in 1976 exhibited a commendable reluctance to deal with the specifics of academic policies, choosing instead to direct their attention to broader matters of public policy and fiscal support.

Students

Finally, mention is made of the marked increase in legislative activity in 1976 relating to students. Martorana and McGuire reported 48 legislative items about students for the period covering 1973-75. In 1976 alone, 44 enactments and 23 proposals were reported.

Of particular note is the increased activity in the subject category "student rights and responsibilities." The studies conducted by Martorana et al. in the 1960s apparently did not find sufficient legislative activity in this area to justify a separate category, for no such category was used. Even in the 1973-75 study by Martorana and McGuire, only 7 legislative items were reported in the category student rights and responsibilities for the three-year period covered by that study. This is in marked contrast to the situation in 1976, where 19 enactments and 9 proposals were reported.

A number of factors acting together can be suggested to account for this increased legislative attention to students rights and responsibilities. Among these would be the federal "Buckley Amendment" and the increasing practice of calling upon the courts to resolve student personnel issues in schools and colleges. The lowering of the voting age to 18, which made legislators much more attuned to student needs and problems, may also be an influence. Whatever the reasons, it seems that the impetus toward stronger student rights made during the student

activism of the late 1960s and early 1970s initiated a movement whose impact on American postsecondary education continues to show.

All of the conclusions advanced in the specific topical areas noted above suggest one overriding final observation: that community and junior college policies and operations are matters of increasingly intensified interest to state legislators and governors. Leadership in these institutions, therefore, is well advised to deepen and improve efforts to develop a better understanding among lawmakers of community college goals and programs and, especially, of the important services these institutions render.

APPENDIX A

ANNOTATIONS OF STATE LEGISLATION RELATING TO POSTSECONDARY EDUCATION

1976 State Legislative Sessions

Arrangement

The items of legislation listed here include both those enacted and those proposed. Within each group the order of items is numerical. Chapter or act numbers are by Senate Bill and House Bill numbers, depending on the information provided by the respondents.

ALABAMA (1)

Legislation Enacted

1-1 Appropriation Provides $29,000,000 for fiscal year 1976-77.

1-2 Appropriation (Act 197) General appropriation which includes $50,000 for S.D. Bishop State Junior College for the purpose of establishing a School of Mortuary Science.

1-3 Policy Formation (Act 512) Creates a "Sunset Committee" that will determine the continued existence or termination of state agencies, including community colleges.

Legislation Introduced But Not Enacted

1-4 Reorganization (S.B. 51) To create a Board of Regents for all higher education in Alabama.

ARIZONA (3)

Legislation Enacted

3-1 Supplemental Appropriation (H.B. 2063) Supplemental appropriation of $3.5 million to the State Community College Board.

3-2 Equivalency Diploma Test (H.B. 2119) Provides that a diploma shall be issued to any person 18 years of age or older who successfully completes a general equivalency diploma test.

3-3 Purchase of Insurance on Buildings (H.B. 2137) Requires the community college district boards in Arizona to obtain their own insurance on community college buildings. (The community colleges obtained their own insurance in previous years; however, a law enacted last year would have required the State Insurance Department to contract for all insurance.) H.B. 2137 was successful in putting control back at the community college level.

3-4 Capital Funds for New Campus (S.B. 1005) (Chapter 152) Provides $500,000 for payment of the state's share of capital outlay for construction of an additional campus (Aravaipa) for the Pinal Community College District.

3-5 Revision of Community College Funding Procedures (S.B. 1222) (Chapter 60) Community colleges will no longer receive supplemental appropriations, as the method of computing state aid was revised by this bill and fully endorsed by the state community college system.

3-6 Appropriation Provides $30,410,668 for 55,095 FTEs in the state's community colleges; also provides an additional $7,804,400 for the state office and capital outlay to the districts.

Legislation Introduced But Not Enacted

3-7 Higher Education Assistance Program (S.B. 1055) To provide for a higher education assistance program for surviving children of certain public safety personnel.

3-8 Collective Bargaining (S.B. 1086) To allow professional school employees (including community colleges) to organize and negotiate with employers.

3-9 Trespassing and Public Loitering (S.B. 1089) To provide that trespassing and public loitering is unlawful (includes such actions occurring on community college property).

3-10 Capital Funds (S.B. 1401) To provide $500,000 capital outlay for Pima County (downtown campus).

3-11 1202 Commission (S.B. 1439) To establish a Commission on Postsecondary Education—i.e., the 1202 Commission would become statutory.

ARKANSAS (4)

Legislation Enacted

4-1 Financial Procedures Provides all institutions of higher education, including community colleges, restricted access to state revolving funds for salaries.

CALIFORNIA (5)

Legislation Enacted

5-1 Handicapped Students (A.B. 77) Consolidates a mass of piecemeal statutes on community college funds for handicapped students into a single, comprehensive plan. Previously, seven separate state programs provided such support, each requiring its own accounting, auditing, and reporting procedures. The result was that much of the allocated state support was not used effectively. A.B. 77 minimizes duplication and reduces administrative overhead through delivery systems designed to reach more students at reduced cost per student.

This legislation makes explicit the uses of existing funds enabling handicapped individuals to attend community colleges, and will thus eliminate inequities and inefficiencies of present appointment schedules.

Also, A.B. 77 assures accountability for funds expended and measurement of objectives by requiring community colleges and the Department of Rehabilitation to concur on regulations, approvals, and assessment of progress toward stated goals.

5-2 Contracting for Exchange of Personnel (A.B. 2418) Allows any school district, including a community college district, to enter into contract with the governing board of any other school district for the exchange of certified personnel.

5-3 Student Health Fees (A.B. 2655) Authorizes the governing board of a community college district to charge a health service fee to summer school students in addition to the $10 yearly maximum amount.

5-4 Use of Facilities (A.B. 2882) Deletes the present prohibition against joint occupancy of classroom buildings by community colleges and private entities. Expresses legislative intent that community college districts be authorized to make vacant classrooms available for rent or lease to educational agencies, governmental units, community agencies, professional agencies, etc.

5-5 Financial Procedure—Assessment and Taxation (A.B. 2985) Extends the filing date in designated instances for required documents for specified reorganization of school districts and community college territory for purposes of assessment and taxation in 1976-77.

5-6 Governing Board Membership (A.B. 2989) Permits Redwood Community College District to have a governing board consisting of not more than nine members, an exception to the general limit of seven members.

5-7 Student Aid (A.B. 3042) Makes changes in the selection process for members of the Student Aid Commission. Also, increases to 6,825 from 4,550 the number of California grants awarded yearly, and raises to $3,000 from $3,400 the maximum award. The Student Aid Commission will also be required to experiment with awarding grants to students in proprietary schools.

5-8 Trustees (A.B. 3098) Authorizes the governing board of any community college district to assign a number to each seat on the board to be selected by lot. Once assigned, any candidate for election to the board will be required to run for a particular numbered seat on the board and be elected at large.

5-9 Cooperative Education (A.B. 3145) Extends for two more years a pilot program in cooperative education for no more than five community college districts and makes specified follow-up evaluations and recommendations.

5-10 Curriculum (A.B. 3147) Authorizes the issuance of an associate in science degree in bilingual-bicultural teacher assisting and specifies standards for this degree.

5-11 Field Trips (A.B. 3149) Removes the 10 school-day limitation for field trips for community college students. This allows a major portion of some course work to be performed out of the district without the institutions losing appointments based on attendance.

5-12 Interdistrict Tuition Charges (A.B. 3161) Phases out the $300 "seat tax" currently paid to receiving community college districts for student use of building and equipment on interdistrict attendance agreements.

5-13 Student Aid (A.B. 3298) Increases to 1,237 from 975 the number of new grants for a state occupational education and training program. An appropriation of $500,000 is to be made to the Student Aid Commission for such grants.

5-14 Work Experience Programs (A.B. 3419) Allows community college students participating in work experience programs to receive credit for employment in noncontiguous areas outside their districts.

5-15 Tuition (A.B. 3770) Assures that students who reside in nondistrict territory to be annexed on July 1 shall be classified as resident students of that community college district when they enroll for the 1976 summer session even though it may begin before July 1, 1976.

5-16 Nondistrict Tuition Fund Balances (A.B. 3791) Requires that within three years after the inclusion of nondistrict territory of a county into a community college district that remaining tuition funds be transferred to the district that annexed the nondistrict territory. Further directs that each community college receiving these tuition fund balances apply the funds to reducing the district tax rate in the subsequent fiscal year.

5-17 Bank Time Certificates of Deposit (A.B. 3792) Expands the present law to include a provision for individual community college district investment of budget surpluses in bank time certificates of deposit. This will allow more investment flexibility for districts, along with the ability to obtain greater income.

5-18 Inmate Education (A.B. 3962) Existing law permits the Director of Corrections to enter into agreements with private schools or school districts to maintain classes for inmates. That authority was extended to contracting with community colleges for educational services, courses, or programs for inmates, but will expire on June 30, 1976. This bill assures the continued authority to private schools and public school districts upon the exclusion of community colleges.

5-19 Nonresident Tuition (A.B. 3984) For the purposes of the nonresident tuition fee, requires that a community college district disregard the time which a student living in the district resided outside the state, if absence from the state was made at the request of the employer of the student or the employer of the student's spouse and the absence was for a period of not more than four years.

5-20 Nonresident Tuition (A.B. 4289) Provides that all nonresidents who enroll for six units or fewer may be exempted from all or part of the nonresident tuition fee.

5-21 Educational Opportunity Grants (A.B. 4315) Increases the maximum amount of California State University and College Educational Opportunity Program grants to $1000 from $700 per year.

5-22 Study of Policies Affecting Part-time Students (A.B. 4325) Requires the Postsecondary Education Commission, through either advisory committees or task forces, to conduct a comprehensive study of policies and practices relating to part-time students.

5-23 Employee Political Activities (A.B. 4352) Provides that, with few exceptions, no restrictions may be placed upon the political activities of any officer or employee of a community college district.

5-24 Construction Inspectors (S.B. 1411) Defers for one year the existing laws requiring that school building code inspectors (including community college building inspectors) be registered by January 1, 1976.

5-25 Students (S.B. 1437) Entitles Native American students to resident classification for attendance at a community college if they are also attending a school administered by the Bureau of Indian Affairs located within the community college district.

5-26 Student Rights (S.B. 1493) Requires that community college students have right of access to all records relating to them; brings the community colleges more in line with the Buckley Amendment.

5-27 Out-of-State Taxes (S.B. 1619) Permits the levy and collection of a tax in a territory not part of a community college district, so that residents in that area can attend a community college in an adjoining state.

5-28 Community College Governing Board Powers (S.B. 1634) Authorizes community college boards to reimburse governmental entities for services that provide a benefit to the district.

5-29 Legal Services (S.B. 1635) Requires the county counsel and district attorney to render legal opinions to community college districts on matters as required by law.

5-30 School/Community College Finance (S.B. 1641) In general, removes the cap as imposed in 1975-76 by returning the community colleges to a modification of the tax rate control mechanism that existed prior to S.B. 6, the legislation that imposed the enrollment cap.

Among the provisions of S.B. 1641 relating to community colleges are the following:

1. authorizes local governing boards to provide special classes for the handicapped
2. specifies that classes shall not receive apportionment if they are not clearly identified in such a manner as to insure that attendance is open to the general public and authorizes the Board of Governors of the California Community Colleges to adopt regulations to enforce this provision
3. eliminates defined adult category for community colleges, and specifies that attendance of adults in community colleges shall be computed in the same manner as any other student
4. authorizes local governing boards to charge student fees for classes not eligible for state apportionments and limits total revenue from such fees to the estimated cost of all such classes maintained
5. repeals revenue limit/foundation program concept of community college funding
6. provides additional state support for district contributions to state teachers' retirement system.

As originally proposed, S.B. 1641 would have increased local college revenues by either: (1) applying a fixed tax (that levied during 1975-76) to increased assessed valuation or (b) applying the sum of percentage increases in the California Consumer Price Index and district population to prior district revenue levels. The Board of Governors succeeded in obtaining the following amendments to these options:

1. increasing the fixed tax from that levied in 1975-76 to that authorized and corrected for actual enrollment during 1975-76, an increase of nearly 5 cents, or $37 million, in authorized local revenue statewide.
2. changing the indices for the other option (a) from the California Consumer Price Index to the Index of State and Local Government Purchases of Goods and Services and (b) from district total population to district adult population. The amended measures more accurately reflect college work load responsibilities and inflationary trends in budgets.

Other amendments include:

3. local revenue option: Those districts that annex territory by July 1, 1976, may use, if they wish, an extension of the revenue control option for 1976-77. Without this assessment those districts annexing poor (in terms of assessed value per student) territories would have faced serious budget restrictions in the transition from revenue to tax rate control.
4. Board of Governors: requires the Board of Governors to develop and recommend additional tax rate control options to be implemented beginning 1977-78 to deal with problems of raising local revenue faced by districts experiencing abnormal growth patterns.
5. State aid: an increase in state aid for small districts of $2.5 million to be distributed to those districts falling below 3,000 ADA beginning 1976-77.
6. State aid: an increase in state aid of $4 million for demographic factors which cause districts to fall below the state average in average daily attendance as related to adult population.

With these amendments, it is estimated that S.B. 1641 adds approximately $35 million to the state aid that would have been forthcoming under an extension of the cap, as proposed in the governor's finance program.

5-31 Financial Procedures (S.B. 1664) Requires community college districts to make certain reports regarding expenditures from proceeds of the tax collected for certain community recreation and community service purposes.

5-32 Repeal of Zoning Override Authority (S.B. 1714) Repeals the authority that currently permits a community college district by a vote of two-thirds of its members to override local zoning ordinances.

5-33 Interstate Cooperation (S.B. 1751) Withdraws California's participation in the Western Regional Education Compact which includes 11 western states.

5-34 Agricultural Pest Control Advisory Committee (S.B. 2167) Adds a person to this advisory committee who represents the Board of Governors of the California Community Colleges.

5-35 Policy on Handicapped Students (A.C.R. 201) Requires reports on handicapped students in higher education similar to those currently required for minorities and women; also, directs the three state-level boards to prepare a plan for addressing and overcoming by 1980 the underrepresentation of handicapped students in postsecondary education.

5-36 Programs for Handicapped Adults (A.C.R. 206) States the legislature's intent that educational and vocational training opportunities for handicapped persons continue to be offered.

Legislation Introduced But Not Enacted

5-37 Energy Systems (S.B. 215) To require any governmental agency, including a community college, to fully calculate costs of at least two energy systems before beginning construction of new facilities which will require a system for heating and/or cooling. (Vetoed by the governor.)

5-38 Community College Appointments (S.B. 1528) To exclude from the computation of maximum appointment for certain adult and occupational programs in any budget act the attendance of persons required by judicial order to participate in such a program. (Vetoed by the governor.)

5-39 Regional Career Guidance Centers (S.B. 1867) To establish regional career guidance resource centers. (Vetoed by the governor.)

5-40 First Aid Programs (S.B. 1939) To permit community colleges to provide instruction in first aid. Would require that training in first aid be included in the health education requirements for a teaching credential. (Vetoed by the governor.)

5-41 Capital Outlay Plans (A.B. 3406) To require, in the case of a community college district that maintains multiple campuses, that submission and evaluation of the capital construction plans be undertaken on the basis of each college or center maintained by the district. (Vetoed by the governor.)

5-42 Student Fees (A.B. 3418) To permit the governing board of a community college district to impose a mandatory per-student fee of up to $10 for the benefit of the student body association. (Vetoed by the governor.)

5-43 Student Aid (A.B. 3777) To permit students in their first year of study to elect to receive an award for tuition and fees only, instead of an award for subsistence costs. (Vetoed by the governor.)

5-44 Programs for Inmates and Parolees (A.B. 4217) To require the Postsecondary Education Commission to support existing and new educational programs for inmates and parolees. Would prescribe generally the content of such programs. (Vetoed by the governor.)

5-45 California Postsecondary Education Commission (A.B. 4353) To return the number of members of the Postsecondary Education Commission to 23 members; also, would prohibit any person who was a former member of a governing board of a public or private postsecondary institution from being appointed to the commission on or after January 1, 1977. (Vetoed by the governor.)

5-46 Accreditation (S.B. 57) To establish the California Commission on Accreditation with the responsibility of accrediting educational institutions of the secondary level and above in California.

5-47 Retroactive Capital Outlay (S.B. 1700) To extend a 1975-76 provision for retroactive capital outlay funding for an additional year. Also, would allow a community college district to begin work on or receive or award bids for an approved project prior to the legislature's appropriation, providing the

district can demonstrate it has the financial capability to complete the work begun in the event the legislature makes no appropriation for the project.

5-48 Force Account Construction (S.B. 1844) To raise the limits for force account construction projects to $7500 or 750 hours, whichever is greater.

5-49 Student Newspapers (A.B. 207) To include the right of expression in unofficial or official school publications among the rights guaranteed to students. Would provide, in addition, that expression in such publications be guaranteed whether or not they are supported financially by the school.

5-50 Accreditation (A.B. 1854) To require accrediting associations to conduct public meetings when deliberating on accreditation.

5-51 Retirement System (A.B. 2009) To provide for the county superintendent to collect local retirement fund tax on a countywide, rather than district, basis. Would provide a broader base for assessment to raise the state retirement fund, but would increase county control over community college districts.

5-52 Affirmative Action Reports (A.B. 2810) To require the Postsecondary Education Commission to develop a common format for collecting and reporting data to the governor and the legislature on representation of ethnic minorities and women among employees of the University of California, California State University and College, and community colleges.

5-53 Programs for Handicapped Students (A.B. 3955) To allow the governing board of a community college district to contract with a sheltered workshop to provide instruction for handicapped students, including necessary administrative services.

5-54 Retirement Benefits for Part-Time Employees (A.B. 4484) To include community college administrators (who receive less than the maximum salary paid to a dean of the college) in an existing law that authorizes the governing board of a district to establish regulations allowing certified employees to reduce their workload from full-time to part-time without loss of retirement benefits.

CONNECTICUT (7)

Legislation Enacted

7-1 Tuition (Public Act 76-181) Increases the minimum annual tuition rates at public colleges (instate: from $200 to $250 at community colleges and to $305 at state technical colleges; out-of-state: from $850 to $950 at community colleges and to $1060 at state technical colleges). Increases the number of students for whom tuition charges may be waived or remitted from 1 percent to 10 percent of the number of full-time students enrolled each semester and provides that the increased tuition revenue be included in the appropriation of the constituent unit at which it was generated.

7-2 Tuition Exemption (Public Act 76-313) Waives the tuition charges at state and community colleges for any student attending the Connecticut State Police Academy who is enrolled in a law enforcement program at the academy offered in coordination with a state or community college that accredits courses taken in such programs.

7-3 Transfer of Property (Special Act 76-23) Corrects the legal description of acreage at the Manchester Community College campus that the General Assembly previously authorized to be transferred to the town of Manchester for the construction of a regional occupational training center for the mentally retarded.

7-4 Appropriation, Auxiliary Services Fund (Special Act 76-75) Authorizes the Board of Trustees of regional community colleges to expend up to $250,000 from the Auxiliary Services Fund for the development of recreational, intramural, and physical education facilities at the Manchester Community College campus.

7-5 Appropriation (Special Act 76-62) Appropriates $93,500 to the Board of Trustees of regional community colleges to continue programs for the deaf at Northwestern Community College.

7-6 Appropriation Appropriates $5,250,000 for the operating expenses of the four colleges that comprise the state technical college system.

Legislation Introduced But Not Enacted

7-7 Liability Insurance for Students (Bill 5422) To extend the current statutory liability coverage for board members and college staff to include students enrolled in a field program of any constituent unit of the state system of higher education. (Vetoed by the governor.)

7-8 Student Financial Aid (Bill 5156) To replace the current State Scholarship Commission with a new State Student Financial Assistance Commission to administer the state's financial aid program. The membership of the commission would include one member of the Board of Trustees of Regional Community Colleges. (Vetoed by the governor.)

7-9 State Level Administration—Reorganization To restructure public higher education in the state by establishing a single Board of Regents to replace all current boards.

7-10 State Level Administration—Reorganization To restructure public higher education in the state by consolidating the regional community colleges, the state technical colleges, and the undergraduate branches of the University of Connecticut into one system to be administered by a single Board of Trustees.

7-11 State Level Administration (Bill 5168) To consolidate the central offices of the constituent units—the state colleges, the regional community colleges, and the state technical colleges—and the commission for higher education at a single location.

7-12 Statewide Coordination—Regionalization (Bill 5169) To establish a higher education center, a facility planned and constructed for the concurrent and cooperative use of two or more institutions of the state system of higher education, in the Hartford region.

7-13 Statewide Coordination—Regionalization (Bill 5170) To establish a higher education center in the New Haven region.

7-14 Statewide Coordination (Bill 5171) To permit contracts between public colleges and licensed post-secondary proprietary schools, as well as independent colleges, for use of programs, facilities, and services; to provide that the commission for higher education allocates funds for such contracts when they are deemed beneficial to the state.

7-15 Membership of State-Level Boards To designate the chancellor of the Commission for Higher Education as an *ex officio* member of the governing boards of the constituent units of the state system of higher education.

7-16 Tuition To waive tuition at community colleges for National Guardsmen attending the Connecticut Military Academy.

7-17 Appropriation To appropriate $120,000 to the community colleges for library development.

DELAWARE (8)

Legislation Enacted

8-1 Pension System (H.B. 1155) Amends the state employees' pension plan; increases state pension adjusted by level of FICA. Provides alternatives for present employees with or without FICA; all new employees will be affected.

Legislation Introduced But Not Enacted

8-2 Zero-Base Budgeting (H.J.R. 37) To provide that the executive branch of government prepares annual operating budgets using zero-base budgeting techniques.

FLORIDA (9)

Legislation Enacted

9-1 Tuition Fees for State Universities (CSHB 344/814) Requires the Board of Regents to establish registration and tuition fees in state universities, and to submit their recommendations to the legislature 30 days before session, with failure of the legislature to act considered approval.

9-2 Retirement/Widow Benefits (H.B. 357) Increases benefits to widows or widowers of teacher retirees from $100 to $150 per month for life for dependent widow or widower between 50 and 65 years of age and from $125 to $175 if over 65 and retiree served 10 years.

9-3 Solar Energy (H.B. 776) Directs the Department of Education to develop a plan to use solar energy in public education facilities, with the Department of Education authorized to obtain federal grants to construct or modify existing buildings as part of the study.

9-4 Retirement/Prior Service (H.B. 1433) Permits Florida Retirement System members to use as creditable service past service with city or special districts.

9-5 Student Financial Aid (H.B. 2653) Increases student loan bonding authority from $40 million to $65 million; increases the amount of student registration fee required to be paid into the Student Financial Aid Trust Fund; requires three years Florida residency for scholarship loans.

9-6 Collective Bargaining (H.B. 3051) Designates the Board of Trustees of Florida School for Deaf and Blind as public employer for purposes of collective bargaining.

9-7 Emergency Per Diem Authorization; Travel Report (H.B. 3266) Authorizes governmental agencies, when directing employee to travel on emergency basis, to pay per diem directly to the vendor instead of to the employee. Also requires each state agency to submit to the legislature a report of all conventions, conferences, and meetings attended at public expense outside the state by officers and employees of the agency.

9-8 Appropriation (H.B. 3500) Appropriates for community colleges $161,582,330 for a maximum assignment of 162,132 FTEs and an average FTE value of $996.62. Seventy-five hundredths of 1 percent of the appropriation was authorized as a contingency fund for allocation to colleges to meet special financial needs. Enrollment caps are extended for another year.

9-9 Correctional Work Program Amended (CSHB 3958) Amends offender educational program so that inmates convicted of certain crimes are not authorized to attend classes at community colleges and state universities.

9-10 Employment Age Amendments (H.B. 4063) Prohibits all employers, including educational institutions, from discriminating against an employee due to age; prohibits mandatory retirement due to age.

9-11 Administrative Procedures (H.B. 4144) Makes technical changes in the Administrative Procedures Act.

9-12 Fire Standards (H.B. 4145) Expands the State Fire Marshal's authorization by, among other things, placing community colleges under his jurisdiction to establish rules governing fire standards; also, assigns the marshal responsibility for inspections and enforcement.

9-13 Capital Outlay Appropriations (CSHB 4190) Distributes capital outlay funds for all levels of education, with $30,221, 940 for community colleges.

9-14 Independent Colleges (S.B. 211) Authorizes the State Board of Education to adopt minimum education standards for nonpublic colleges licensed by the State Board of Independent Colleges and Universities. These standards include purpose, organization, education program and curriculum, finances, faculty, library, student personnel services, physical plant, and professional certification.

9-15 Display of U.S. Flag (S.B. 377) Requires each publicly supported auditorium to display the U.S. flag; provides guilt for noncompliance by the responsible administrator as a noncriminal violation to be punishable by fine.

9-16 Per Diem Increase (S.B. 468) Increases per diem for public employees from $20 to $25 per day; also increases class "c" breakfast reimbursement from $1.75 to $2.00.

9-17 Collective Bargaining (CCSB 814) Includes administrative personnel in definition of managerial employees for purposes of collective bargaining.

9-18 Administrative Procedures (CSSB 949) Amends the administrative procedures act by adding a section prescribing economic impact statements prior to adoption, amendment, or repeal of any rule.

9-19 Group Insurance (S.B. 1000) Authorizes all state governmental agencies to provide employee group life, health, and accident insurance to part-time employees and retirees, provided that no state contribution shall be made for such employees.

9-20 Sex Discrimination (CSSB 1064) Directs Department of Education, Division of University, to eradicate discrimination on the basis of sex in faculty salaries, giving salary increases retroactive to September 15, 1976.

Legislation Introduced But Not Enacted

9-21 Unemployment Compensation (CSHB 1808) To authorize all governmental bodies, including district school boards and community college trustees, to participate in unemployment compensation program on a contributory basis, rather than through reimbursement. (Vetoed by the governor.)

9-22 Students on Board of Regents (H.B. 3325) To add three members to present nine-member Board of Regents; new members to be full-time students representing three different universities (one-year terms). (Vetoed by the governor.)

9-23 Faculty Assignments (CSHB 455) To require assignment of faculty members to be made at the beginning of the academic year or term in consultation with the faculty member.

9-24 Teaching Contact Hours (H.B. 916) To repeal the requirement that community college personnel record 15 and university personnel 12 classroom hours per week; to require, instead, the Board of Regents and community college trustees to adopt procedures to establish minimum and maximum classroom teaching hours for each institution.

9-25 Board of Regents Terms (H.B. 1178) To set terms of Board of Regents members at 5 years, instead of 9.

9-26 Facilities – Access for Handicapped (CSHB 1366) Requires all publicly financed buildings generally open to the public to have at least one entrance and one restroom meeting special requirements of the handicapped.

9-27 Retirement (H.B. 1869) To define the average final compensation for purposes of retirement as the 5 best years of creditable service, instead of the 5 best years of the last 10.

9-28 Insurance (H.B. 2339) To authorize governmental bodies, including community colleges, to adopt self-insurance plan for health, accident, or hospitalization insurance, if the body has more than 1,000 employees.

9-29 Adult Education Agreements (H.B. 4199) To require district school boards and community colleges to reach agreements within community college area for respective responsibility in providing adult education services.

9-30 Common Academic Calendar (S.B. 220) To require universities and community colleges to operate under a common academic calendar not later than September 1977.

9-31 Community College and University Sites (S.B. 248) To require approval of the Commissioner of Education, the State Board of Education, and the legislature to acquire land to establish additional centers or campuses.

9-32 Community College Trustee Attendance (S.B. 283) To require the chairman of Community College Trustees to notify the governor if a trustee misses more than three regular meetings a year.

9-33 Retirement (CSSB 297/641) To provide for retirement under the Florida Retirement System with 30 years of creditable service regardless of age.

9-34 University Admissions (CSSB 799) To require state universities to give preference to Florida citizens in admission to postgraduate programs.

9-35 Fees–Veterans Preference (S.B. 848) To authorize an educational institution, at its discretion, to permit veterans an additional 60 days to pay registration fees.

9-36 Community College Athletics (S.B. 1110) To require future persons receiving athletic scholarships from community college to be graduates of Florida public or private schools.

9-37 Financial Procedures (S.B. 1130) To require the commissioner of education to define a comparable information cost-reporting system for institutions of higher learning, with comparable FTE, terminology, and program standards.

9-38 Coordination (S.B. 1149) To authorize the Board of Regents to establish personnel exchange programs to exchange like instructional and research personnel with private institutions, units of government in state and out of state, and with private industry.

9-39 Private School Advertising (H.B. 872) To prohibit schools under the State Board of Independent Colleges and Universities from advertising for students if the institution does not have the required license.

9-40 Student Records (CSHB 2708) To establish confidentiality of records of students enrolled at all levels of public education.

IDAHO (12)

Legislation Enacted

12-1 Appropriations (S.B. 1536) Provides $2,788,100 to the state's two junior colleges.

Legislation Introduced But Not Enacted

12-2 Study (Senate Resolution #127) To create a committee of legislators, State Board of Education members, and college representatives to study current laws and practices relevant to the state's junior colleges, so that the legal relationship between the State Board of Education and the junior colleges can be more precisely defined.

ILLINOIS (13)

Legislation Enacted

13-1 Bond Issue (H.B. 3099) Authorizes a $23.5 million local bond issue for Chicago.

13-2 Enabling Legislation (amendment) (H.B. 3804) Amends the Community College Act to provide that, for purposes of annexation, any territory shall be considered contiguous to a community college district if, at any time, it was once contiguous to the district, notwithstanding boundary changes of either the district or the territory involved.

13-3 Appropriation (S.B. 1650) Provides a total of $128,805,644 for community colleges (compared to $113,378,675 for FY 76) and proposes eight separate categories of courses for state funding varying from $37.01 for health technology courses to $7.65 for general studies (adult education) courses per semester credit hour. Baccalaureate-oriented courses are proposed at $18.87 per semester hour.

13-4 Community College Funding Formula (S.B. 1651; companion bill to the operating budget appropriation bill, S.B. 1650) Provides authorization for a change in the community college funding formula. The net effect of this piece of legislation is to authorize variable state funds by various course categories, with some rates above and some below the former minimum of $17.61 per semester hour, and to authorize classification of credit hours for proration purposes. Further, it eliminates the former chargeback tax for non-community college territory and, in effect, establishes an incentive for a non-community college territory to join a community college district.

13-5 Capital Funds (S.B. 1936) A capital construction projects bill, including eight community college construction projects for FY 77, to appropriate $7,239,400 for FY 77 operations of Illinois Capital Development Board, $89,195,400 for permanent improvements, and, to reappropriate $552,625,961 for permanent improvements. (The governor approved the bill in part, vetoing, in particular, the community college projects. However, the Assembly restored the funds for these projects.)

Legislation Introduced But Not Enacted

13-6 Student Aid Forms (S.B. 1535) To amend the higher education student assistance act to prescribe the use of the Department of Health, Education, and Welfare application form used for the Basic Education Opportunity Grant (BEOG) as the application form to be used by the Illinois State Scholarship Commission.

13-7 Capital Reappropriation (S.B. 1742) To provide reappropriation for various construction projects, including six community college construction projects totaling $16,897,109 that were vetoed by the governor. (One of the six projects was later restored by the legislature.) Also includes 15 community college construction projects totaling $53,808,033 of reappropriations that were approved by the governor.

13-8 Omnibus Appropriation (S.B. 1932) To provide $2.1 million in supplemental state funds for remedial/developmental and general studies courses for the public community colleges. Also includes a line item for $40,000 to the Illinois Fair Employment Practices Commission for the enforcement of the Fair Employment Practices Act with respect to the public community colleges. (Vetoed by the governor.)

13-9 Bond Authorization (H.B. 3656) A bond authorization bill for capital construction.

13-10 Contractual Community Colleges (H.B. 3677) To permit the organization of contractual community college districts with the power to tax for educational purposes and to acquire educational services through contractual agreements with existing public and private educational facilities. Such districts would not be allowed to build a campus without going back to the voters with a referendum for that purpose.

IOWA (15)

Legislation Enacted

15-1 Appropriation (L.S.B. 4100) Provides $29,800,000 in FY 77 for 44,254 FTEs, and $1,350,000 for equipment replacement.

15-2 Appropriation–State Retirement Program Provides supplemental appropriation in FY 77 of $787,500 for adjustment to meet state retirement program increase.

15-3 Election Regulations (House File 1011) Requires the implementation of certain reforms in local school election procedures.

15-4 Local Governance (House File 1442) Legalizes and validates the proceedings of the board of directors of the Des Moines Area Community College in connection with an election authorizing the levy of a tax.

15-5 Employee Benefits (House File 1581) Authorizes board of directors to approve a policy for granting educational leaves for certified employees and for tuition paid by such employees for courses approved by the board of directors.

15-6 Employee Rights (House File 1582) Provides for procedures for the termination of the contract or of the discharge of administrators.

15-7 Employee Benefits (House File 1583) Increases the contribution rates for employees by 1/10 of 1 percent of covered wages for the Iowa Public Employees' Retirement System, and increases the employers' contribution by ½ of 1 percent.

15-8 Employee Rights (Senate File 205) Authorizes procedures for continuation and termination of teachers' contracts.

15-9 Program Review (Senate File 1261) Authorizes the State Board of Public Instruction to review programs and make recommendations, and approve or disapprove requests of merged area schools to expand their programs.

15-10 Appropriation (Senate File 1333) Authorizes an appropriation of $61,000 from the general fund of the state for disbursement to Western Iowa Technical Community College for education broadcasting facilities.

Legislation Introduced But Not Enacted

15-11 Financial Procedures (House File 422) To extend the local tax levy for capital funds from 5 to 10 years.

KANSAS (16)

Legislation Enacted

16-1 Student Records (S.B. 624) Amends Kansas statutes concerning the inspection of official public records to exclude the personally identifiable records of students in public educational institutions from the definition of "official public records," thereby exempting student records from public disclosure.

16-2 Tuition Waiver (S.B. 764) Provides free tuition for dependents of veterans killed in Vietnam at all publicly supported postsecondary institutions.

16-3 Financial Procedures (S.B. 835) Authorizes the governing boards of community-junior colleges to pay dues to organizations or associations which have the purpose of promoting the exchange of information and cooperation among institutions for the benefit of the member institutions.

16-4 Financial Procedures (S.B. 851) Establishes uniformity with respect to the investment of idle or inactive funds of all political subdivisions that have authority to levy taxes.

16-5 Financial Procedures (S.B. 861) Authorizes boards of trustees of community colleges to levy taxes for maintenance and operation and strikes certain mill levy limitations.

16-6 Retirement (H.B. 2679) Changes the manner of determining final average salary within the Kansas Public Education Retirement System.

16-7 Tuition (H.B. 3073) Restricts the increase per year in out-district tuition to 5 percent.

Legislation Introduced But Not Enacted

16-8 Collective Bargaining (S.B. 626) To amend the existing collective bargaining legislation.

16-9 Due Process (S.B. 737) To amend several sections of the existing teacher due process law; concerns due process for teachers upon termination or nonrenewal of contracts of employment.

16-10 Proprietary Schools (S.B. 809) To extend the state scholarship program to proprietary schools.

16-11 Retirement (H.B. 2539) To allow payment of accumulated sick leave on retirement.

16-12 Student Aid (H.B. 3058) Kansas Higher Education student loan act.

KENTUCKY (17)

Legislation Enacted

17-1 Transfer of Credit (H.B. 76) Permits community college students to transfer unlimited credit to the four-year institution.

17-2 Open Records (H.B. 138) An open records law.

17-3 Driver Education (H.B. 315) Permits community colleges to offer courses in driver education.

17-4 Appropriation (H.B. 374) Provides $11,358,353 for 12,075 FTEs in FY 77; also, provides $15 million for capital construction for community colleges.

17-5 State Office for Geriatrics-Gerontology (H.B. 466) Establishes in the Department for Human Resources an Office of Geriatrics-Gerontology whose purpose shall be to stimulate the inauguration and continuance of courses in geriatrics and gerontology in the universities and community colleges funded by the Commonwealth of Kentucky; appropriates $25,000 to carry out the purposes of this act.

17-6 1202 Commission (H.B. 816) Establishes a "1202 Commission."

17-7 Advisory Board (S.B. 84) Prohibits the appointment of an advisory board for community colleges in cities of the second class; to provide that the "old" board of trustees of the college shall perform the functions of an advisory board in addition to its other functions.

17-8 Tuition Waiver (S.B. 112) Waives all tuition and fee charges for Kentucky residents who are at least 65 years of age.

17-9 Student Aid (S.B. 363) Amends legislation relative to the states' Higher Education Assistance Program so that state aid is restricted to *full-time* students (formerly half-time or more) in eligible Kentucky institutions.

MARYLAND (20)

Legislation Enacted

20-1 Retirement (H.B. 888) For the purpose of allowing professional employees an option to enroll in the Teachers' Retirement System or an alternate retirement program if adopted by the Board. This is corrective legislation in that it provides a "grandfather" clause for community college faculty on board July 1, 1975. These individuals would not be required to join either retirement system; all new employees would have to enroll as a condition of employment.

20-2 Collective Bargaining (SJR 31) Creates a legislative task force to consider whether collective bargaining rights should be extended to the public sector. The task force is to prepare workable legislation on the matter for submission to the 1977 General Assembly if it determines that such rights should in fact be granted.

20-3 Reorganization of Statewide Postsecondary Education System (S.B. 347) Generally revises the structure and governance of postsecondary education in the state. Creates the State Board for Higher Education, an amalgamated state higher education agency with rather extensive coordinating responsibilities for Maryland's tripartite system of postsecondary education, particularly in program and fiscal areas; places a student on the governing board of Morgan State University; abolishes the Maryland Council for Higher Education; creates an Education Coordinating Committee to coordinate policies and activities of elementary, secondary, and higher education in the state; changes the composition and terms of the State Board for Community Colleges and the Board of Trustees of the State Colleges; and establishes a Segmental Advisory Committee.

20-4 Appropriation (S.B. 370/H.B. 900) Provides FY 1977 state aid to community colleges of $41,575,700 and a FY 1976 deficiency budget of $7,850,619.

20-5 Due Process (S.B. 466) Requires institutions of higher education to establish procedures to allow aggrieved students, faculty, and staff due process.

Legislation Introduced But Not Enacted

20-6 Civil Liability Immunity (H.B. 1364) To provide immunity from civil liability for community college presidents or any employee of the community college who presents or enters findings of fact, recommendations or reports, or who participates in an employee dismissal.

20-7 State Scholarships (S.B. 947) A compromise measure synthesizing features from other bills relating to the state scholarship program. Among other things, this legislation would dismantle the legislative scholarship programs, require uniform need analysis, and set up a new financial assistance board.

MASSACHUSETTS (21)

Legislation Enacted

21-1 Appropriation Provides $41,041,170 in FY 1977 for approximately 29,441 FTEs.

Legislation Introduced But Not Enacted

21-2 Tenure To establish three years of continuous employment as a prerequisite for tenure decisions.

21-3 Faculty on Boards of Trustees To add a faculty member to the Board of Trustees of the community colleges to vote on all issues except collective bargaining.

21-4 Students on Advisory Boards To provide for the appointment of a student member to the advisory board for each community college.

21-5 Election of State Board Chairman To require the election of the chairman of the Massachusetts Board of Regional Community Colleges (currently appointed by the governor; all other segments elect their own).

21-6 Tuition Waiver for Elderly To provide for the elderly to attend public colleges at no charge.

21-7 State-Level Coordination To reorganize the Board of Higher Education (coordinating board) to provide for representation from the private sector and to incorporate the 1202 Commission as part of the Board.

21-8 State-Level Administration—Reorganization To establish a single governing board for all of higher education, thereby eliminating the three existing state boards, i.e., those of the University of Massachusetts, the state colleges, and the community colleges.

MICHIGAN (22)

Legislation Enacted

22-1 Scholarships (H.B. 5411) Establishes 1,000 scholarships of $1,000 each for high school students in Michigan with the highest scores on designated national examinations. Known as the Legislative Merit Award Program Act, this law will attempt to fully recognize and reward the academic achievement of top scholars in Michigan by providing that the scholarships shall be awarded annually *without* regard to financial circumstances of the students or their families and without reference to other types of aid for which students may qualify.

22-2 Interstate Coordination (S.B. 896) Provides for an interstate agreement on the qualification of educational personnel.

22-3 Appropriation (S.B. 1346) Appropriates $101,574,741 to community and junior colleges for the fiscal year ending September 30, 1977. Additionally, state aid for avocational and leisure time courses conducted by community colleges is reduced to 50 percent of the rate used in 1975-76.

Legislation Introduced But Not Enacted

22-4 Statewide Community College Districting (S.B. 1080) To formalize a state of Michigan community college system covering the total geography of the state, to expand community college districts, and to create new districts to provide community college services on a statewide basis.

22-5 Postsecondary Career Education (H.B. 6216) To expand the Career Education Act to include community colleges in the planning.

MISSISSIPPI (24)

Legislation Enacted

24-1 Branches of State Universities (H.B. 190) Removes credit hour limitations regarding degree-granting branches of state universities. This increases the maximum student load to 9 semester hours per quarter and 12 semester hours per semester at branches. Requires, also, that each branch be an identified part of the overall budget request for universities.

24-2 Bond Authorization (H.B. 850) Extends the period during which junior college bonds may bear 7 percent.

24-3 Bond Authorization (S.B. 2095) Authorizes the city of Natchez to issue bonds not to exceed $100,000 for purchase of real property and constructing and equipping buildings for a branch of any state university and junior college now established.

24-4 Bond Authorization (S.B. 2096) Authorizes Adams County to issue bonds not to exceed $100,000 for purchase of real property and constructing and equipping buildings for a branch of any state university and junior college now established.

24-5 Purchasing Regulations (S.B. 2534) Authorizes purchase from any lawful source, without advertising for bids, the exact commodity item approved for contract by the Commission of Budget and Accounting at a price not exceeding the state contract price.

24-6 Appropriation (S.B. 2928) To Division of Junior Colleges for defraying administrative expenses for FY 1977, a total of $81,204.

24-7 Appropriation (S.B. 3010) To support the 16 public junior college educational programs, line items are:

1. Academic	$17,705,769
2. Vocational	2,000,000
3. Part-time and Evening	675,000
	$20,380,769

24-8 Reappropriation (S.B. 3035) Reappropriation of 1974 general fund monies for construction of facilities; this legislation prohibited the reappropriation of $288,100 to junior colleges—causing loss of building funds to four institutions.

Legislation Introduced But Not Enacted

24-9 New Institution (H.B. 189) To create University of Long Beach.

24-10 Access to Records (H.B. 188) To require that junior college Board members have access to college records.

24-11 New Name (H.B. 308) To rename Copiah-Lincoln Junior College and to establish a formula for division of funds between campuses.

24-12 Qualifications for University Branches (H.B. 315) To alter qualifications for establishing degree-granting branches of universities.

24-13 New Name (H.B. 602) To rename Northeast Mississippi Junior College to Community College; also, to restructure the Board.

24-14 Vocational Education (H.B. 693) To create a Department of Labor and transfer vocational training functions of the State Department of Education to it.

24-15 Nursing Programs (H.B. 766) To put a moratorium on schools of nursing.

24-16 Liability Insurance (H.B. 1086) To authorize junior colleges to purchase liability insurance for boards.

24-17 Trustees (H.B. 1153) To reapportion Mississippi Gulf Coast trustees.

24-18 Vocational Education (S. 2570) To create Golden Triangle Vocational-Technical District within an existing junior college district. Committee substitute: to authorize the State Board of Education to create a district in the event the existing junior college closed.

24-19 1202 Commission (S. 2824) To create a "1202" Commission to take place of the existing "1202" Board that was created by the governor.

24-20 Study (HCR 88) To authorize a study of higher education's system in the state, including junior colleges.

24-21 Lower-Level Courses at University Branches (S. 2522) To authorize the branches of universities to offer lower-level courses if junior colleges do not offer them.

MISSOURI (25)

Legislation Enacted

25-1 Appropriation Provides $26,045,851 for public junior colleges in fiscal 1976-77, an increase of 40 percent over fiscal year 1976.

NEW JERSEY (30)

Legislation Enacted

30-1 Appropriation (S-1004) Appropriates from the Higher Education Building Construction Bond Act (P.L. 1971, C. 164) $669,000 for Rutgers Cook Douglass Campus and $3,031,000 for various colleges.

30-2 Appropriation (S-1500) Provides $33,877,200 to community colleges in FY 77.

Legislation Introduced But Not Enacted

30-3 Term Papers, Theses, Dissertations (A 14) To provide that any person who conducts a business to sell or prepare for sale any term paper, thesis, dissertation or any other writing for submission by a person other than the author to any academic institution is guilty of a misdemeanor.

30-4 Trustees (A 882) To require two members of the Board of Trustees of each county college to be women; adds a recent graduate of the county college elected by the student body as a nonvoting member of the Board.

30-5 Appropriation–Medical Education (A 1733) To appropriate $600,000 to the College of Medicine and Dentistry for the South Jersey Medical Program, provided the Veterans Administration selects the Camden area for a new hospital.

30-6 Student Loans (SCR-11) To memorialize Congress to amend the federal bankruptcy law to provide that loans for higher education be treated as debts not affected by a discharge in bankruptcy.

30-7 Optometry Education (S-910) To permit the Board of Higher Education to enter into contracts with out-of-state schools of optometry for the acceptance of state students; appropriates $100,000.

30-8 Appropriation – Cooperative Education (S-960) To create a state government cooperative education support program; appropriates $30,000 for fiscal year 1976-77 and $40,000 for fiscal year 1977-78.

NEW YORK (32)

Legislation Enacted

32-1 Appropriation Appropriates $86,663,000 for state and for community colleges operating under the program of the State University of New York.

32-2 Supplemental Appropriation Appropriates $7,2[illegible]7,000 to community colleges, bringing the total 1976-77 appropriation to $93,950,000 and returning funding formula to 1975-76 levels. In addition, the possibility of deficiency appropriations for unanticipated enrollments has no longer been specifically excluded.

32-3 Veterans Requires the Board of Trustees to provide standards for granting advanced standing to veterans applying for college admissions who have successfully completed United States Armed Forces Institute or other comparable course work.

32-4 Financial Procedures Permits the sponsor of a community college to finance the entire cost of capital projects. The state would then reimburse the sponsor for half of the annual debt service. The legislation is an attempt to permit the sponsor to obtain necessary financing of projects in light of the Dormitory Authority's inability to finance the state's share.

32-5 Student Activities Amends the Alcoholic Beverage Control Law to provide for licensing of educational or not-for-profit corporations located on college premises so long as none of such corporation officers or directors are less than 18 years of age.

32-6 Open Meetings Requires that all public bodies open their meetings to the public and give public notice in advance.

32-7 City University Several bills comprising the City University systems package; among other things, creates a Temporary State Commission on the Future of Postsecondary Education in New York State.

Legislation Introduced But Not Enacted

32-8 Funding of Private Colleges To authorize counties that do not sponsor community colleges to contract with nonpublic two-year colleges located within the county for the purpose of providing educational services. Would also entitle such nonpublic institutions to state aid in the same manner as community colleges.

32-9 Student Trustees To afford the nonvoting student members of the State University of New York Board of Trustees and College Councils the same parliamentary privileges as are conferred upon voting members.

32-10 Financial Procedures To permit community colleges to use capital chargeback funds in defraying the local sponsor's share of capital costs.

NORTH CAROLINA (33)

Legislation Enacted

33-1 Appropriation Provides $5,306,670 for an approximately 4,500 additional FTE curriculum students who were not originally budgeted for.

33-2 Appropriation (Capital Outlay) Provides for reduction of $5,648,199 in 1976-77 budget, principally in equipment reserves.

33-3 Fee Increase Increases the fee for extension courses from the present $3 per course to $5 per course.

33-4 Financial Procedures Provides that no community college or technical institute shall be funded through State Board of Education allocations in 1976-77 at less than actual 1975-76 funded level unless there was a decline in the enrollment projections of an institution to justify a reduction in the allocation of funds.

33-5 Financial Procedures Provides that during the 1976-77 fiscal year any net tuition and academic fees realized in excess of the amounts anticipated in the academic budgets of the Department of Community Colleges . . . shall be made available to provide operating support for the affected academic budgets and shall not be used as the basis for reductions in appropriations.

OHIO (35)

Legislation Enacted

35-1 Student Aid Increases the Ohio Instructional Grant Program to accommodate more students at a slightly higher rate.

35-2 Out-of-District Fees Eliminates out-of-district fees for two-year colleges not having a local tax levy.

35-3 Instructional Subsidy Rate Increases the instructional subsidy rate by approximately 12.5 percent to 14 percent per student.

Legislation Introduced But Not Enacted

35-4 Unearned Subsidies Determines that all unearned subsidies for individual colleges revert back to the legislature for possible reallocation. (Vetoed by the governor.)

PENNSYLVANIA (38)

Legislation Enacted

38-1 Appropriation Provides $32,531,892 for community college operating expenses and $12,360,108 for capital expenditure, for a total of $44,892,000—a healthy 20 percent increase over 1975-76.

38-2 Appropriation—Private Postsecondary Education Provides $12,000,000 for institutional assistance grants (Pennsylvania's program of making grants to private institutions on the basis of the number of students they enroll who qualify for a state loan). This amount was double what the governor recommended.

38-3 Financial Procedures Relating to Federal Monies (S.B. 1542) Requires that federal funds received by the Commonwealth shall be deposited in the General Fund Account with certain exceptions; furthermore, prevents the state treasurer from paying out any and all federal monies which have not been specifically appropriated by the General Assembly.

38-4 Tuition (S.B. 1431) Provides that a student may register at any community college without local Board approval and not suffer the loss of the state's reimbursement for one-third of tuition. However, in doing so without local Board approval, the student will lose local support and thus will in effect pay two tuitions. This amends Pennsylvania enabling legislation which required a student to pay three times the normal tuition charge if he lived in an area which sponsors a community college and registered at another community college without local Board approval.

RHODE ISLAND (39)

Legislation Enacted

39-1 Appropriation Provides $12,470,576 for the Rhode Island Junior College State System in 1976-77.

Legislation Introduced But Not Enacted

39-2 Conduct of Public Officials (H. 5784) To create a Rhode Island Commission which is charged with the responsibility of monitoring the conduct of state officials and employees, to prescribe certain activities which present obvious conflicts of interest in the area of state contracts, to mandate an open and public process which will prevent favoritism and bias, to provide sufficient criminal sanctions in order to deter potential violations of the public trust.

39-3 Public Property (H. 7037) To increase the fine for littering public property or damaging trees, shrubs, and other plant life from a maximum of $100 to a minimum-maximum range of $100 to $300.

39-4 Program Duplication Study (H. 7058) A House resolution to establish a commission of three House members to study duplications in the business course offerings at the University of Rhode Island, Rhode Island College, and Rhode Island Junior College, and to also study the purchasing procedures at the three institutions.

39-5 Bookstores (H. 7083) A resolution to ask the State Board of Regents to investigate the policies and profit-making status of bookstores at state institutions of higher learning.

39-6 Freedom of Information (H. 7128) To require state agencies to open to the public all their records and hearings, except for information that is specifically exempt from disclosure by law.

39-7 School for Social Workers (S. 2015) A resolution to create a seven-member special legislative commission to study the feasibility of establishing a school for social workers at the University of Rhode Island or Rhode Island College.

39-8 Personnel Benefits (S. 2036) To bar from employment by the state or a state agency anyone who has retired from town, city, or federal employment and is receiving pension benefits from that retirement.

39-9 Personnel Benefits (S. 2041) To provide that accumulated sick leave pay, holiday pay, vacation pay, and insurance benefits due to an employee shall be considered as unpaid wages that must be paid within 24 hours when an employer separates an employee from the payroll.

39-10 State Programs for the Handicapped (S. 2087) A resolution to place the Senate on record as committed to the concept of state programs for trainable handicapped persons until such persons reach the age of 31.

SOUTH CAROLINA (40)

Legislation Enacted

40-1 Enabling Legislation (Act 654, H.B. 3662) This piece of legislation touches on virtually every aspect of technical education in South Carolina. State officials indicate that considerable study and perhaps some legal interpretation will be required before the full implications of the law can be understood. Among its provisions are the following: (1) further delineates the responsibilities, powers, and duties of the State Board for Technical and Comprehensive Education with respect to technical education programs in the state; (2) spells out more clearly the duties of the Area Commissions of each individual institution; (3) provides a new appeals procedure through which an Area Commission can appeal to the Budget and Control Board any final decision or action of the State Board for Technical and Comprehensive Education; and (4) revises the manner in which the presidents of individual institutions are selected.

40-2 Appropriations Provides $24,000,000 for technical education programs.

40-3 Financial Procedures (3270) Establishes procedures for collecting information for use by the General Assembly concerning expenditures of state appropriated funds, personnel data, and related materials from state agencies.

Legislation Introduced But Not Enacted

40-4 Publication of and Hearings on State Rules and Regulations (3151) To provide for publication of rules and regulations of state agencies, boards, commissions, or departments before they become effective and to provide for hearings on the rules and regulations.

40-5 State Level Governance (3738) To amend the legislation relating to the State Commission on Higher Education so as to increase the number of members to 18.

TENNESSEE (42)

Legislation Enacted

42-1 Appropriation Provides $21,879,000 for the community colleges in 1976-77, an increase of 23 percent over the 1975 appropriation.

42-2 Tuition Grant Program Establishes a Tennessee Tuition Grant Program to provide assistance to students attending public or private colleges and universities.

42-3 Fee Waiver for Disabled Allows totally disabled persons to audit classes free at state-supported colleges and universities (excluding medical schools).

42-4 Cooperative Education Program Establishes a cooperative education program between state government and state colleges and universities.

42-5 Tenure Policy Authorizes the Board of Regents to promulgate a tenure policy for faculty at institutions within the State University and Community College System of Tennessee.

VIRGINIA (46)

Legislation Enacted

46-1 Transfer of Academic Credit (House Joint Resolution 17) Directs the State Council of Higher Education to promote the orderly transfer of academic credit between the Virginia community colleges and the four-year colleges and universities—public and private—by the development of a Commonwealth Articulation Agreement.

46-2 Public Records (H.B. 67) Authorizes the state library to establish regulations for the maintenance, prevention, and destruction of any public records by any state agency. Each agency or institution shall name a "records custodian" who shall be responsible for all records. The only files that may be exempt are personal correspondence and faculty research or lecture files.

46-3 Senior Citizens (H.B. 158) Lowers the age requirement in the Senior Citizens Higher Education Act from 65 to 62.

46-4 Board of Behavioral Science (H.B. 378) Establishes a Virginia Board of Behavioral Science with regulatory authority over professional counselors, school and clinical psychologists, and social workers. Federal, state, and local employees are exempted.

46-5 Freedom of Information (H.B. 1172) Provides a civil penalty of $25 to $500 for violation of the Freedom of Information Act.

46-6 Campus Police (S.B. 112) Allows police of state-supported institutions of higher education to enter into mutual aid agreements with other police forces for specified purposes.

46-7 Secretary of Education (S.B. 315) Specifies the powers and duties of the Secretary of Education. This bill was passed after being amended by deleting the section that would have required the secretary to serve as a member of the State Board of Education, State Board for Community Colleges, and the State Council of Higher Education.

46-8 Privacy Act (S.B. 335) Protects the constitutional right of privacy of individuals about whom information is recorded and provides penalties for violations.

WASHINGTON (47)

Legislation Enacted

47-1 Travel Reimbursement (H.B. 802) Provides for a special travel and reimbursement schedule for trustees and regents. The legislation provides also the language necessary to insure that trustee travel reimbursement will not be taxable as income.

47-2 Supplemental Appropriation–Operating Expenses (H.B. 1624) Provides a 5 percent increase for all employees effective July 1, 1976. The only other inclusion for higher education is an amendment to the contract enrollment concept passed in 1975. This amendment strikes all the language requiring the colleges to pay back to the state general fund a sum equal to the operating fees for all FTEs in excess of 101.5 percent of the contracted enrollment level. This will save the community colleges an estimated $983,071 for the biennium.

47-3 Supplemental Appropriation–Capital Funds (H.B. 1626) Provides $26,486,004 for community college capital construction.

47-4 Bond Issue (H.B. 1441) Authorizes the sale of bonds to pay for the supplemental capital budget.

47-5 Financial Disclosure (S.B. 3261) Requires trustees and agency heads to make annual financial disclosures under Initiative 276, a public referendum, which will be placed on the November general election ballot.

47-6 Study of Community College System (Senate Resolution 76-180) Calls for a study of the organization and administration of the community college system by the Senate Committee on Higher Education. The resolution cites as the reasons for the study the recent court decisions relating to State Board regulations, conflicting statutory responsibilities between state and local boards, and the fact that the organization and structure of the system has not undergone a comprehensive review since passage of the 1967 Community College Act.

47-7 Study of Academic Transfer Policies (Senate Resolution 76-179) Calls for a study of the state's public colleges and universities. The study would seek answers to these questions: (1) reasons why there is not full and continuous transfer of credits between and among one community college and another, a community college and a four-year institution, and one four-year institution and another; (2) reasons why the community college academic transfer associate degree is not accepted at some institutions as prima-facie evidence of successful completion of general college work through the sophomore level.

47-8 Commission for Vocational Education (S.B. 3267) Authorizes the governor to implement his recommendations to the legislature concerning the functions and staffing level of the Commission for Vocational Education. In effect, this bill legalizes the governor's transfer of various functions from the commission to various agencies. Also, the bill requires that the commission reduce its staffing level to 19 man-years by October 1976, a reduction of about one-half from the current core staff.

Legislation Introduced But Not Enacted

47-9 Collective Bargaining The legislature considered but did not act on collective bargaining legislation for higher education.

47-10 Employee Benefits A comprehensive pension reform bill.

47-11 Tuition To relieve refugees of the Southeast Asia conflict of the requirement to pay out-of-state tuition.

WISCONSIN (49)

Legislation Enacted

49-1 Appropriation Provides $38,515,200 for the vocational, technical, and adult education system in Wisconsin for current operations in 1976-77.

PUERTO RICO (51)

Legislation Enacted

51-1 Regulation of Private Schools (Law 31) Regulates the operation of private schools. Authorizes the Secretary of Education (in the case of primary and secondary schools) and the Council of Higher Education (in the case of postsecondary schools and universities) to dictate rules and regulations for issuance and cancellation of licenses.

APPENDIX B

INDEX TO LEGISLATION

The first number of each entry is that of the state; the second is that of the legislative item within each state. For example, 38-4 indicates the fourth item listed under Pennsylvania. Both legislation enacted and legislation proposed are included. Numerical summaries of counts of these items are presented in Tables 3 and 4.

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APPENDIX C

Letter of Inquiry: State Legislation

THE PENNSYLVANIA STATE UNIVERSITY
CENTER FOR THE STUDY OF HIGHER EDUCATION
325 POND LABORATORY
UNIVERSITY PARK, PENNSYLVANIA 16802

Area Code 814
865 6346

February 20, 1976

As you know, the National Council of State Directors of Community and Junior Colleges and the Center for the Study of Higher Education here are cooperating in a continuing study, analysis, and report on state legislation relating to community and junior college interests. The first report covering the 1973-1975 period has now been "put to bed," and you should be getting the final version of that report for your reference and use soon.

We want now to start getting from each of you the information on the current 1976 session of legislatures we need to keep abreast of, to prepare progress and interim reports, and ultimately a final report on the session's actions. We are planning two reports of progress, one at the March meeting of the Council in Washington, and another at the summer 1976 meeting; a first draft final report will be distributed at the fall meeting as was done last year.

Will you help now by doing two things: (1) Send us quickly *any material* that is at hand (copies of bills, legislative lists, etc.) *and a letter* telling the current legislative situation in your state; cover these three particular questions: (a) What are the *big issues* that seem to be attracting legislative interest, attention, and action? (b) What seems to be the *direction* of action for disposition of the issues? (c) How do you see key socio-political-economic forces in your state lining up on the issues? (2) Let us know if we should continue to address our communications about this cooperative project to you directly or to a particular member of your staff. If the latter, please tell us who this continuing liaison person is to be, along with the phone number and address that should be used.

Looking forward to a quick reply and to seeing you in Washington in March. Many thanks.

Very cordially yours,

S. V. Martorana
Professor of Higher Education
and Research Associate

APPENDIX D

Letter of Inquiry: Community-Based, Performance-Oriented Education

THE PENNSYLVANIA STATE UNIVERSITY
CENTER FOR THE STUDY OF HIGHER EDUCATION
325 POND LABORATORY
UNIVERSITY PARK, PENNSYLVANIA 16802

Area Code 814
865-6346

March 22, 1976

The attached report is provided as a joint cooperative service by the National Council of State Directors of Community and Junior Colleges and the Center for the Study of Higher Education, The Pennsylvania State University. It presents the results of a survey of state legislation during the 1973-75 period and of responses from the field to some related questions. We hope you will find it useful and that you will, thereby, be encouraged to continue your cooperative effort to provide basic information from your state to maintain the continuity of this research, analysis, and reporting service. We are now at work on the study of 1976 legislation.

In this connection, we would appreciate your help in a particular inquiry we are making to cooperate with the American Association of Community and Junior Colleges. Will you please provide us information that describes the legal status of "community-based, performance-oriented" education in your state. This is defined broadly as any educational program that emphasizes two essential elements: (1) integration of school, college, and community resources in the educational process and, (2) primary attention to performance competency of persons who complete the programs offered. Please send us copies of *laws now in effect, proposed bills, or other relevant descriptive material that reflects directly or indirectly the legal status of this kind of educational approach.*

Thank you very much for your continued interest and cooperation.

Very cordially yours,

S. V. Martorana
Professor of Higher Education
and Research Associate

SVM:dkt
Enclosure: State Legislation Report

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